

Exhibit 7

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

OPAWL – BUILDING AAPI FEMINIST
LEADERSHIP et al.,

Plaintiffs,

v.

DAVE YOST, in his official capacity as
Ohio Attorney General et al.,

Defendants.

Case No. 2:24-cv-3495

Judge Michael H. Watson

Magistrate Judge Kimberly A. Jolson

**DECLARATION OF JYOTI JASRASARIA IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Jyoti Jasrasaria, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am over the age of 18 and competent to make this declaration. I am an attorney with the law firm of Elias Law Group LLP and am admitted to practice law in Massachusetts and the District of Columbia, as well as before multiple federal courts of appeals and district courts. I am admitted *pro hac vice* in the above-captioned matter and am an attorney for Plaintiffs. I submit this declaration to provide the Court with true and correct copies of certain documents submitted in connection with Plaintiffs' Motion for Preliminary Injunction.

2. Exhibit A is a true and correct copy of the enrolled version of H.B. 1, 135th Gen. Assemb., Spec. Sess. (Ohio 2024).

3. Exhibit B is a true and correct copy of S.B. 215, 135th Gen. Assemb., Reg. Sess. (Ohio 2024), last accessed on June 28, 2024, and available at https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_135/bills/sb215/PS/02/sb215_02_PS?format=pdf.

4. Exhibit C is a true and correct copy of H.B. 114, 135th Gen. Assemb., Reg. Sess. (Ohio 2024), last accessed on June 28, 2024, and available at https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_135/bills/hb114/PS/04/hb114_04_PS?format=pdf.

5. Exhibit D is a true and correct copy of H.B. 305, 135th Gen. Assemb., Reg. Sess. (Ohio 2024), last accessed on June 28, 2024, and available at https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_135/bills/hb305/PS/04/hb305_04_PS?format=pdf.

6. Exhibit E is a true and correct copy of H.B. 271, 135th Gen. Assemb., Spec. Sess. (Ohio 2024), last accessed on June 28, 2024, and available at https://legislature.ohio.gov/files/special-session/hb271_03_PS.pdf.

7. Exhibit F is a true and correct copy of Governor Mike DeWine's May 23, 2024 Proclamation, last accessed on June 28, 2024, and available at https://content.govdelivery.com/attachments/OHIOGOVERNOR/2024/05/23/file_attachments/2888202/Proclamation%20-%20Special%20Session.pdf.

8. Exhibit G is a true and correct copy of the February 21, 2024 Ohio Senate General Government Committee hearing on S.B. 215 and the associated certificate of transcriptionist.

9. Exhibit H is a true and correct copy of the May 8, 2024 Ohio Senate floor debate on H.B. 114 and the associated certificate of transcriptionist.

10. Exhibit I is a true and correct copy of the May 28, 2024 Ohio House Government Oversight Committee hearing on H.B. 1 and the associated certificate of transcriptionist.

11. Exhibit J is a true and correct copy of the May 29, 2024 Ohio House Government Oversight Committee hearing on H.B. 1 and the associated certificate of transcriptionist.

12. Exhibit K is a true and correct copy of the May 30, 2024 Ohio House Government Oversight Committee hearing on H.B. 1 and the associated certificate of transcriptionist.

13. Exhibit L is a true and correct copy of the May 30, 2024 Ohio House floor debate on H.B. 1 and the associated certificate of transcriptionist.

14. Exhibit M is a true and correct copy of the May 31, 2024 Ohio Senate floor debate on H.B. 1 and the associated certificate of transcriptionist.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 28, 2024

/s/ Jyoti Jasrasaria
Jyoti Jasrasaria*
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Washington, D.C. 20001
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jjasrasaria@elias.law

Attorneys for Plaintiffs
** Admitted pro hac vice*

Exhibit A

(135th General Assembly)
(Special Session)
(Amended Substitute House Bill Number 1)

AN ACT

To enact section 3517.121 of the Revised Code to modify the Campaign Finance Law regarding foreign nationals and ballot issues.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That section 3517.121 of the Revised Code be enacted to read as follows:

Sec. 3517.121. Notwithstanding any contrary provision of the Revised Code:

(A) As used in this section:

(1) "Electioneering communication" has the same meaning as in section 3517.1011 of the Revised Code.

(2) "Foreign national" means any of the following, as applicable:

(a) In the case of an individual, an individual who is not a United States citizen or national;

(b) A government of a foreign country or of a political subdivision of a foreign country;

(c) A foreign political party;

(d) A person, other than an individual, that is organized under the laws of, or has its principal place of business in, a foreign country.

(B) No foreign national shall, directly or indirectly through any person or entity, do any of the following:

(1) Make a contribution, expenditure, or independent expenditure in support of or opposition to a candidate for any elective office in this state, including an office of a political party;

(2) Make a contribution, expenditure, or independent expenditure in support of or opposition to a statewide ballot issue or question, regardless of whether the ballot issue or question has yet been certified to appear on the ballot;

(3) Make a disbursement for the direct cost of producing or airing an electioneering communication;

(4) Make a contribution to a candidate, campaign committee, political action committee, political contributing entity, legislative campaign fund, state candidate fund, political party, or separate segregated fund, to any committee created to support or oppose a ballot issue or question, or, to the maximum extent permitted by law and by the constitutions of the United States and of this state, to a continuing association;

(5) Promise, either expressly or implicitly, to make a contribution, expenditure, independent expenditure, or disbursement described in division (B)(1), (2), (3), or (4) of this section.

(C) No individual, candidate, campaign committee, political action committee, political

Am. Sub. H. B. No. 1

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contributing entity, legislative campaign fund, state candidate fund, political party, separate segregated fund, or committee created to support or oppose a ballot issue or question and, to the maximum extent permitted by law and by the constitutions of the United States and of this state, no continuing association shall, directly or indirectly through any other person or entity, knowingly do either of the following:

(1) Solicit, accept, or receive any funds from a foreign national for any purpose described in division (B) of this section;

(2) Make a contribution, expenditure, or independent expenditure using any funds the person knows were received from a foreign national for any purpose described in division (B) of this section.

(D) No person shall knowingly aid or facilitate a violation of division (B) or (C) of this section.

(E) Any complaint that alleges a violation of division (W) of section 3517.13 of the Revised Code shall be treated as instead alleging a violation of this section.

(F)(1) Whoever knowingly violates division (B) of this section is guilty of a misdemeanor of the first degree on a first offense and is guilty of a felony of the fifth degree on a second or subsequent offense. The violator also shall be fined an amount equal to three times the amount involved in the violation or ten thousand dollars, whichever amount is greater.

(2) Whoever knowingly violates division (C) of this section is guilty of a misdemeanor of the first degree on a first offense and is guilty of a felony of the fifth degree on a second or subsequent offense. The violator also shall be fined an amount equal to three times the amount involved in the violation or ten thousand dollars, whichever amount is greater, and shall be required to return the total amount accepted in violation of that division to the foreign national from whom it was accepted.

(3) Whoever knowingly violates division (D) of this section is guilty of a misdemeanor of the first degree and shall be fined one thousand dollars.

(G)(1)(a) Except as otherwise provided in division (G)(1)(b) of this section, the attorney general has exclusive authority to prosecute a violation of this section and has exclusive supervision and control of all investigations, prosecutions, and enforcement proceedings under this section.

(b) If the attorney general is a victim or witness or otherwise involved in an alleged violation of this section, the attorney general shall refer the matter to the appropriate prosecutor, as determined under division (A)(2) of section 3517.155 of the Revised Code, except that if applicable, the attorney general shall make the determination described in division (A)(2)(b) of that section instead of the Ohio elections commission.

(2) Upon the occurrence of either of the following, the attorney general shall investigate an alleged violation of this section in consultation with the secretary of state:

(a) The submission of a written request to the attorney general by the governor, the secretary of state, the general assembly, or the Ohio elections commission, alleging a violation of this section;

Am. Sub. H. B. No. 1

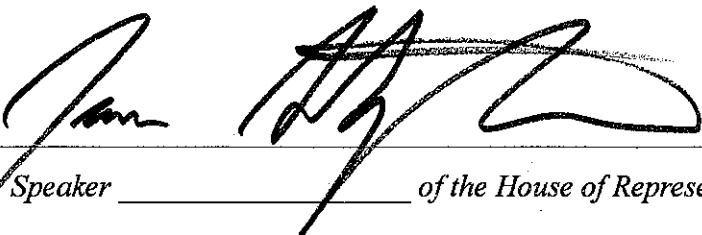
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(b) The filing of a complaint with the attorney general by an elector of this state, alleging a violation of this section.

(3) If it appears to the attorney general, after conducting an investigation under division (G) (2) of this section, that there is probable cause to believe that a violation of this section has occurred, the attorney general may prosecute the violation in a court of competent jurisdiction.

(H) When proceeding under this section, the attorney general and any assistant or special counsel designated by the attorney general for that purpose have all the rights, privileges, and powers conferred by law on prosecuting attorneys, including the power to appear before grand juries and to interrogate witnesses before such grand juries. These powers of the attorney general are in addition to any other applicable powers of the attorney general.

Am. Sub. H. B. No. 1



Speaker _____ of the House of Representatives.



President _____ of the Senate.

Passed May 31, 2024

Approved JUNE 2, 2024



Governor.



Am. Sub. H. B. No. 1

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 2nd day of June, A. D. 2024.

Secretary of State.

File No. 27 Effective Date 9/1/2024

(135th General Assembly)
(Special Session)
(Amended Substitute House Bill Number 1)

AN ACT

To enact section 3517.121 of the Revised Code to
modify the Campaign Finance Law regarding foreign
nationals and ballot issues.

Introduced by

Representative Seitz

Cosponsors: Representatives Abrams, Bartholst, Bird,
Callender, Carnuthers, Click, Creech, Cutrona, Daniels,
Demetriou, Dobos, Edwards, Fowler Arthur, Ghanbari,
Gross, Hall, Hillyer, Holmes, Hoops, John, Johnson, Jones,
Kick, King, LaRe, Lips, Loyerik, McClain, Miller, K.,
Miller, M., Pavliga, Peterson, Plummer, Richardson, Robb
Blasdel, Santucci, Schmidl, Stein, Stewart, Swearingen,
Wiggam, Williams, Young, T.
Senators Chavez, Cirino, Gavarone, Hackett, Huffman, S.,
Lang, McColley, O'Brien, Reineke, Reynolds, Roegner,
Romanchuk, Ruuli, Schaffer, Wilkin

Passed by the House of Representatives,

May 30, 2024

Passed by the Senate,

May 31, 2024

*Filed in the office of the Secretary of State at
Columbus, Ohio, on the*

and day of June, A.D. 2024

Secretary of State.

Exhibit B

As Passed by the Senate

135th General Assembly

Regular Session

2023-2024

Sub. S. B. No. 215

Senators Gavarone, McColley

Cosponsors: Senators Brenner, Chavez, Cirino, Hackett, Huffman, S., Johnson, Landis, Lang, O'Brien, Reynolds, Roegner, Romanchuk, Rulli, Schaffer, Wilkin

A BILL

To amend sections 3517.01, 3517.10, 3517.12,
3517.13, 3517.155, and 3517.992 and to enact
section 3517.121 of the Revised Code to prohibit
foreign nationals from making contributions or
expenditures regarding ballot issue campaigns.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3517.01, 3517.10, 3517.12,
3517.13, 3517.155, and 3517.992 be amended and section 3517.121
of the Revised Code be enacted to read as follows:

Sec. 3517.01. (A) (1) A political party within the meaning
of Title XXXV of the Revised Code is any group of voters that
meets either of the following requirements:

(a) Except as otherwise provided in this division, at the
most recent regular state election, the group polled for its
candidate for governor in the state or nominees for presidential
electors at least three per cent of the entire vote cast for
that office. A group that meets the requirements of this
division remains a political party for a period of four years

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As Passed by the Senate

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after meeting those requirements.	18
(b) The group filed with the secretary of state,	19
subsequent to its failure to meet the requirements of division	20
(A) (1) (a) of this section, a party formation petition that meets	21
all of the following requirements:	22
(i) The petition is signed by qualified electors equal in	23
number to at least one per cent of the total vote for governor	24
or nominees for presidential electors at the most recent	25
election for such office.	26
(ii) The petition is signed by not fewer than five hundred	27
qualified electors from each of at least a minimum of one-half	28
of the congressional districts in this state. If an odd number	29
of congressional districts exists in this state, the number of	30
districts that results from dividing the number of congressional	31
districts by two shall be rounded up to the next whole number.	32
(iii) The petition declares the petitioners' intention of	33
organizing a political party, the name of which shall be stated	34
in the declaration, and of participating in the succeeding	35
general election, held in even-numbered years, that occurs more	36
than one hundred twenty-five days after the date of filing.	37
(iv) The petition designates a committee of not less than	38
three nor more than five individuals of the petitioners, who	39
shall represent the petitioners in all matters relating to the	40
petition. Notice of all matters or proceedings pertaining to the	41
petition may be served on the committee, or any of them, either	42
personally or by registered mail, or by leaving such notice at	43
the usual place of residence of each of them.	44
(2) No such group of electors shall assume a name or	45
designation that is similar, in the opinion of the secretary of	46

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state, to that of an existing political party as to confuse or	47
mislead the voters at an election.	48
(B) A campaign committee shall be legally liable for any	49
debts, contracts, or expenditures incurred or executed in its	50
name.	51
(C) Notwithstanding the definitions found in section	52
3501.01 of the Revised Code, as used in this section and	53
sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the	54
Revised Code:	55
(1) "Campaign committee" means a candidate or a	56
combination of two or more persons authorized by a candidate	57
under section 3517.081 of the Revised Code to receive	58
contributions and make expenditures.	59
(2) "Campaign treasurer" means an individual appointed by	60
a candidate under section 3517.081 of the Revised Code.	61
(3) "Candidate" has the same meaning as in division (H) of	62
section 3501.01 of the Revised Code and also includes any person	63
who, at any time before or after an election, receives	64
contributions or makes expenditures or other use of	65
contributions, has given consent for another to receive	66
contributions or make expenditures or other use of	67
contributions, or appoints a campaign treasurer, for the purpose	68
of bringing about the person's nomination or election to public	69
office. When two persons jointly seek the offices of governor	70
and lieutenant governor, "candidate" means the pair of	71
candidates jointly. "Candidate" does not include candidates for	72
election to the offices of member of a county or state central	73
committee, presidential elector, and delegate to a national	74
convention or conference of a political party.	75

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(4) "Continuing association" means an association, other than a campaign committee, political party, legislative campaign fund, political contributing entity, or labor organization, that is intended to be a permanent organization that has a primary purpose other than supporting or opposing specific candidates, political parties, or ballot issues, and that functions on a regular basis throughout the year. "Continuing association" includes organizations that are determined to be not organized for profit under subsection 501 and that are described in subsection 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code.	76 77 78 79 80 81 82 83 84 85 86
(5) "Contribution" means a loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any person other than the person to whom the services are rendered for the personal services of another person, which contribution is made, received, or used for the purpose of influencing the results of an election. Any loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or of anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any campaign committee, political action committee, legislative campaign fund, political party, political contributing entity, or person other than the person to whom the services are rendered for the personal services of another person, that is made, received, or used by a state or county political party, other than the moneys an entity may receive under sections 3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be considered to be a "contribution" for the purpose of section	87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106

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3517.10 of the Revised Code and shall be included on a statement 107
of contributions filed under that section. 108

"Contribution" does not include any of the following: 109

(a) Services provided without compensation by individuals 110
volunteering a portion or all of their time on behalf of a 111
person; 112

(b) Ordinary home hospitality; 113

(c) The personal expenses of a volunteer paid for by that 114
volunteer campaign worker; 115

(d) Any gift given to an entity pursuant to section 116
3517.101 of the Revised Code; 117

(e) Any contribution as defined in section 3517.1011 of 118
the Revised Code that is made, received, or used to pay the 119
direct costs of producing or airing an electioneering 120
communication; 121

(f) Any gift given to a state or county political party 122
for the party's restricted fund under division (A)(2) of section 123
3517.1012 of the Revised Code; 124

(g) Any gift given to a state political party for deposit 125
in a Levin account pursuant to section 3517.1013 of the Revised 126
Code. As used in this division, "Levin account" has the same 127
meaning as in that section. 128

(h) Any donation given to a transition fund under section 129
3517.1014 of the Revised Code. 130

(6) "Expenditure" means the disbursement or use of a 131
contribution or other funds or anything of value for the purpose 132
of influencing the results of an election or of making a 133

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charitable donation under division (G) of section 3517.08 of the 134
 Revised Code. Any disbursement or use of a contribution by a 135
 state or county political party is an expenditure and shall be 136
 considered either to be made for the purpose of influencing the 137
 results of an election or to be made as a charitable donation 138
 under division (G) of section 3517.08 of the Revised Code and 139
 shall be reported on a statement of expenditures filed under 140
 section 3517.10 of the Revised Code. During the thirty days 141
 preceding a primary or general election, any disbursement to pay 142
 the direct costs of producing or airing a broadcast, cable, or 143
 satellite communication that refers to a clearly identified 144
 candidate shall be considered to be made for the purpose of 145
 influencing the results of that election and shall be reported 146
 as an expenditure or as an independent expenditure under section 147
 3517.10 or 3517.105 of the Revised Code, as applicable, except 148
 that the information required to be reported regarding 149
 contributors for those expenditures or independent expenditures 150
 shall be the same as the information required to be reported 151
 under divisions (D)(1) and (2) of section 3517.1011 of the 152
 Revised Code. 153

As used in this division, "broadcast, cable, or satellite 154
 communication" and "refers to a clearly identified candidate" 155
 have the same meanings as in section 3517.1011 of the Revised 156
 Code. 157

(7) "Personal expenses" includes, but is not limited to, 158
 ordinary expenses for accommodations, clothing, food, personal 159
 motor vehicle or airplane, and home telephone. 160

(8) "Political action committee" means a combination of 161
 two or more persons, the primary or major purpose of which is to 162
 support or oppose any candidate, political party, or issue, or 163

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to influence the result of any election through express advocacy, and that is not a political party, a campaign committee, a political contributing entity, or a legislative campaign fund. "Political action committee" does not include either of the following:	164 165 166 167 168
(a) A continuing association that makes disbursements for the direct costs of producing or airing electioneering communications and that does not engage in express advocacy;	169 170 171
(b) A political club that is formed primarily for social purposes and that consists of one hundred members or less, has officers and periodic meetings, has less than two thousand five hundred dollars in its treasury at all times, and makes an aggregate total contribution of one thousand dollars or less per calendar year.	172 173 174 175 176 177
(9) "Public office" means any state, county, municipal, township, or district office, except an office of a political party, that is filled by an election and the offices of United States senator and representative.	178 179 180 181
(10) "Anything of value" has the same meaning as in section 1.03 of the Revised Code.	182 183
(11) "Beneficiary of a campaign fund" means a candidate, a public official or employee for whose benefit a campaign fund exists, and any other person who has ever been a candidate or public official or employee and for whose benefit a campaign fund exists.	184 185 186 187 188
(12) "Campaign fund" means money or other property, including contributions.	189 190
(13) "Public official or employee" has the same meaning as in section 102.01 of the Revised Code.	191 192

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(14) "Caucus" means all of the members of the house of representatives or all of the members of the senate of the general assembly who are members of the same political party.	193 194 195
(15) "Legislative campaign fund" means a fund that is established as an auxiliary of a state political party and associated with one of the houses of the general assembly.	196 197 198
(16) "In-kind contribution" means anything of value other than money that is used to influence the results of an election or is transferred to or used in support of or in opposition to a candidate, campaign committee, legislative campaign fund, political party, political action committee, or political contributing entity and that is made with the consent of, in coordination, cooperation, or consultation with, or at the request or suggestion of the benefited candidate, committee, fund, party, or entity. The financing of the dissemination, distribution, or republication, in whole or part, of any broadcast or of any written, graphic, or other form of campaign materials prepared by the candidate, the candidate's campaign committee, or their authorized agents is an in-kind contribution to the candidate and an expenditure by the candidate.	199 200 201 202 203 204 205 206 207 208 209 210 211 212
(17) (17) (a) "Independent expenditure" means an <u>either of</u> <u>the following:</u>	213 214
(i) An expenditure by a person advocating the election or defeat of an identified candidate or candidates, that is not made with the consent of, in coordination, cooperation, or consultation with, or at the request or suggestion of any candidate or candidates or of the campaign committee or agent of the candidate or candidates;	215 216 217 218 219 220
(ii) An expenditure by a person advocating support of or	221

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opposition to an identified ballot issue or question or to 222
achieve the successful circulation of an initiative or 223
referendum petition in order to place such an issue or question 224
on the ballot, regardless of whether the ballot issue or 225
question has yet been certified to appear on the ballot. As 226

(b) As used in division (C)(17)—(C)(17)(a) of this 227
section: 228

(a)—(i) "Person" means an individual, partnership, 229
unincorporated business organization or association, political 230
action committee, political contributing entity, separate 231
segregated fund, association, or other organization or group of 232
persons, but not a labor organization or a corporation unless 233
the labor organization or corporation is a political 234
contributing entity. 235

(b)—(ii) "Advocating" means any communication containing a 236
message advocating election or defeat. 237

(c)—(iii) "Identified candidate" means that the name of 238
the candidate appears, a photograph or drawing of the candidate 239
appears, or the identity of the candidate is otherwise apparent 240
by unambiguous reference. 241

(d)—(iv) "Made in coordination, cooperation, or 242
consultation with, or at the request or suggestion of, any 243
candidate or the campaign committee or agent of the candidate" 244
means made pursuant to any arrangement, coordination, or 245
direction by the candidate, the candidate's campaign committee, 246
or the candidate's agent prior to the publication, distribution, 247
display, or broadcast of the communication. An expenditure is 248
presumed to be so made when it is any of the following: 249

(i)—(I) Based on information about the candidate's plans, 250

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projects, or needs provided to the person making the expenditure
by the candidate, or by the candidate's campaign committee or
agent, with a view toward having an expenditure made; 251
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(ii)—(II) Made by or through any person who is, or has
been, authorized to raise or expend funds, who is, or has been,
an officer of the candidate's campaign committee, or who is, or
has been, receiving any form of compensation or reimbursement
from the candidate or the candidate's campaign committee or
agent; 254
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(iii)—(III) Except as otherwise provided in division (D)
of section 3517.105 of the Revised Code, made by a political
party in support of a candidate, unless the expenditure is made
by a political party to conduct voter registration or voter
education efforts. 260
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(e)—(v) "Agent" means any person who has actual oral or
written authority, either express or implied, to make or to
authorize the making of expenditures on behalf of a candidate,
or means any person who has been placed in a position with the
candidate's campaign committee or organization such that it
would reasonably appear that in the ordinary course of campaign-
related activities the person may authorize expenditures. 265
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(18) "Labor organization" means a labor union; an employee
organization; a federation of labor unions, groups, locals, or
other employee organizations; an auxiliary of a labor union,
employee organization, or federation of labor unions, groups,
locals, or other employee organizations; or any other bona fide
organization in which employees participate and that exists for
the purpose, in whole or in part, of dealing with employers
concerning grievances, labor disputes, wages, hours, and other
terms and conditions of employment. 272
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As Passed by the Senate

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(19) "Separate segregated fund" means a separate segregated fund established pursuant to the Federal Election Campaign Act.	281 282 283
(20) "Federal Election Campaign Act" means the "Federal Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et seq., as amended.	284 285 286
(21) "Restricted fund" means the fund a state or county political party must establish under division (A)(1) of section 3517.1012 of the Revised Code.	287 288 289
(22) "Electioneering communication" has the same meaning as in section 3517.1011 of the Revised Code.	290 291
(23) "Express advocacy" means a communication that contains express words advocating the nomination, election, or defeat of a candidate or that contains express words advocating the adoption or defeat of a question or issue, as determined by a final judgment of a court of competent jurisdiction.	292 293 294 295 296
(24) <u>"Political</u> " <u>Federal political committee</u> " has the same meaning as in section <u>3517.1011</u> <u>-3517.107</u> of the Revised Code.	297 298
(25) "Political contributing entity" means any entity, including a corporation or labor organization, that may lawfully make contributions and expenditures and that is not an individual or a political action committee, continuing association, campaign committee, political party, legislative campaign fund, designated state campaign committee, or state candidate fund. For purposes of this division, "lawfully" means not prohibited by any section of the Revised Code, or authorized by a final judgment of a court of competent jurisdiction.	299 300 301 302 303 304 305 306 307
<u>(26)</u> (a) " <u>Alternative political organization</u> " means a <u>continuing association, corporation, labor organization, or</u>	308 309

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<u>other person, other than an individual, that makes contributions or expenditures and that is not a campaign committee, political party, legislative campaign fund, designated state campaign committee, state candidate fund, federal political committee, separate segregated fund, political action committee, or political contributing entity.</u>	310 311 312 313 314 315
<u>(b) A person described in division (C) (26) (a) of this section that makes contributions or expenditures that are prohibited under section 3599.03 or another provision of the Revised Code nonetheless is considered an alternative political organization.</u>	316 317 318 319 320
<u>(c) "Alternative political organization" does not include a partnership or other unincorporated business that makes a contribution as described in division (I) of section 3517.10 of the Revised Code.</u>	321 322 323 324
<u>(27) "Internet identifier of record" has the same meaning as in section 9.312 of the Revised Code.</u>	325 326
Sec. 3517.10. (A) Except as otherwise provided in this division, every campaign committee, political action committee, legislative campaign fund, political party, and political contributing entity that made or received a contribution or made an expenditure in connection with the nomination or election of any candidate or in connection with any ballot issue or question at any election held or to be held in this state shall file, on a form prescribed under this section or by electronic means of transmission as provided in this section and section 3517.106 of the Revised Code, a full, true, and itemized statement, made under penalty of election falsification, setting forth in detail the contributions and expenditures, not later than four p.m. of the following dates:	327 328 329 330 331 332 333 334 335 336 337 338 339

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(1) The twelfth day before the election to reflect contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the twentieth day before the election;	340 341 342 343 344
(2) The thirty-eighth day after the election to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the seventh day before the filing of the statement;	345 346 347 348 349
(3) The last business day of January of every year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of December of the previous year;	350 351 352 353 354
(4) The last business day of July of every year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of June of that year.	355 356 357 358 359
A campaign committee shall only be required to file the statements prescribed under divisions (A)(1) and (2) of this section in connection with the nomination or election of the committee's candidate.	360 361 362 363
The statement required under division (A)(1) of this section shall not be required of any campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity that has received contributions of less than one thousand dollars and has made	364 365 366 367 368

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expenditures of less than one thousand dollars at the close of business on the twentieth day before the election. Those contributions and expenditures shall be reported in the statement required under division (A) (2) of this section.	369 370 371 372
If an election to select candidates to appear on the general election ballot is held within sixty days before a general election, the campaign committee of a successful candidate in the earlier election may file the statement required by division (A) (1) of this section for the general election instead of the statement required by division (A) (2) of this section for the earlier election if the pregeneral election statement reflects the status of contributions and expenditures for the period twenty days before the earlier election to twenty days before the general election.	373 374 375 376 377 378 379 380 381 382
If a person becomes a candidate less than twenty days before an election, the candidate's campaign committee is not required to file the statement required by division (A) (1) of this section.	383 384 385 386
No statement under division (A) (3) of this section shall be required for any year in which a campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity is required to file a postgeneral election statement under division (A) (2) of this section. However, a statement under division (A) (3) of this section may be filed, at the option of the campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity.	387 388 389 390 391 392 393 394 395
No campaign committee of a candidate for the office of chief justice or justice of the supreme court, and no campaign committee of a candidate for the office of judge of any court in	396 397 398

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this state, shall be required to file a statement under division 399
(A) (4) of this section. 400

Except as otherwise provided in this paragraph and in the 401
next paragraph of this section, the only campaign committees 402
required to file a statement under division (A) (4) of this 403
section are the campaign committee of a statewide candidate and 404
the campaign committee of a candidate for county office. The 405
campaign committee of a candidate for any other nonjudicial 406
office is required to file a statement under division (A) (4) of 407
this section if that campaign committee receives, during that 408
period, contributions exceeding ten thousand dollars. 409

No statement under division (A) (4) of this section shall 410
be required of a campaign committee, a political action 411
committee, a legislative campaign fund, a political party, or a 412
political contributing entity for any year in which the campaign 413
committee, political action committee, legislative campaign 414
fund, political party, or political contributing entity is 415
required to file a postprimary election statement under division 416
(A) (2) of this section. However, a statement under division (A) 417
(4) of this section may be filed at the option of the campaign 418
committee, political action committee, legislative campaign 419
fund, political party, or political contributing entity. 420

No statement under division (A) (3) or (4) of this section 421
shall be required if the campaign committee, political action 422
committee, legislative campaign fund, political party, or 423
political contributing entity has no contributions that it has 424
received and no expenditures that it has made since the last 425
date reflected in its last previously filed statement. However, 426
the campaign committee, political action committee, legislative 427
campaign fund, political party, or political contributing entity 428

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shall file a statement to that effect, on a form prescribed 429
under this section and made under penalty of election 430
falsification, on the date required in division (A) (3) or (4) of 431
this section, as applicable. 432

The campaign committee of a statewide candidate shall file 433
a monthly statement of contributions received during each of the 434
months of July, August, and September in the year of the general 435
election in which the candidate seeks office. The campaign 436
committee of a statewide candidate shall file the monthly 437
statement not later than three business days after the last day 438
of the month covered by the statement. During the period 439
beginning on the nineteenth day before the general election in 440
which a statewide candidate seeks election to office and 441
extending through the day of that general election, each time 442
the campaign committee of the joint candidates for the offices 443
of governor and lieutenant governor or of a candidate for the 444
office of secretary of state, auditor of state, treasurer of 445
state, or attorney general receives a contribution from a 446
contributor that causes the aggregate amount of contributions 447
received from that contributor during that period to equal or 448
exceed ten thousand dollars and each time the campaign committee 449
of a candidate for the office of chief justice or justice of the 450
supreme court receives a contribution from a contributor that 451
causes the aggregate amount of contributions received from that 452
contributor during that period to exceed ten thousand dollars, 453
the campaign committee shall file a two-business-day statement 454
reflecting that contribution. Contributions reported on a two- 455
business-day statement required to be filed by a campaign 456
committee of a statewide candidate in a primary election shall 457
also be included in the postprimary election statement required 458
to be filed by that campaign committee under division (A) (2) of 459

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this section. A two-business-day statement required by this 460
 paragraph shall be filed not later than two business days after 461
 receipt of the contribution. The statements required by this 462
 paragraph shall be filed in addition to any other statements 463
 required by this section. 464

Subject to the secretary of state having implemented, 465
 tested, and verified the successful operation of any system the 466
 secretary of state prescribes pursuant to divisions (C) (6) (b) 467
 and (D) (6) of this section and division (F) (1) of section 468
 3517.106 of the Revised Code for the filing of campaign finance 469
 statements by electronic means of transmission, a campaign 470
 committee of a statewide candidate shall file a two-business-day 471
 statement under the preceding paragraph by electronic means of 472
 transmission if the campaign committee is required to file a 473
 pre-election, postelection, or monthly statement of 474
 contributions and expenditures by electronic means of 475
 transmission under this section or section 3517.106 of the 476
 Revised Code. 477

If a campaign committee or political action committee has 478
 no balance on hand and no outstanding obligations and desires to 479
 terminate itself, it shall file a statement to that effect, on a 480
 form prescribed under this section and made under penalty of 481
 election falsification, with the official with whom it files a 482
 statement under division (A) of this section after filing a 483
 final statement of contributions and a final statement of 484
 expenditures, if contributions have been received or 485
 expenditures made since the period reflected in its last 486
 previously filed statement. 487

(B) Except as otherwise provided in division (C) (7) of 488
 this section, each statement required by division (A) of this 489

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section shall contain the following information:	490
(1) The full name and address of each campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity, including any treasurer of the committee, fund, party, or entity, filing a contribution and expenditure statement;	491 492 493 494 495
(2) (a) In the case of a campaign committee, the candidate's full name and address;	496 497
(b) In the case of a political action committee, the registration number assigned to the committee under division (D) (1) of this section.	498 499 500
(3) The date of the election and whether it was or will be a general, primary, or special election;	501 502
(4) A statement of contributions received, which shall include the following information:	503 504
(a) The month, day, and year of the contribution;	505
(b) (i) The full name and address of each person, political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity from whom contributions are received and the registration number assigned to the political action committee under division (D) (1) of this section. The requirement of filing the full address does not apply to any statement filed by a state or local committee of a political party, to a finance committee of such committee, or to a committee recognized by a state or local committee as its fund-raising auxiliary. Notwithstanding division (F) of this section, the requirement of filing the full address shall be considered as being met if the address filed is the same address the contributor provided under division (E) (1) of this section.	506 507 508 509 510 511 512 513 514 515 516 517 518

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(ii) If a political action committee, political contributing entity, legislative campaign fund, or political party that is required to file campaign finance statements by electronic means of transmission under section 3517.106 of the Revised Code or a campaign committee of a statewide candidate or candidate for the office of member of the general assembly receives a contribution from an individual that exceeds one hundred dollars, the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any;	519 520 521 522 523 524 525 526 527 528
(iii) If a campaign committee of a statewide candidate or candidate for the office of member of the general assembly receives a contribution transmitted pursuant to section 3599.031 of the Revised Code from amounts deducted from the wages and salaries of two or more employees that exceeds in the aggregate one hundred dollars during any one filing period under division (A) (1), (2), (3), or (4) of this section, the full name of the employees' employer and the full name of the labor organization of which the employees are members, if any.	529 530 531 532 533 534 535 536 537
(c) A description of the contribution received, if other than money;	538 539
(d) The value in dollars and cents of the contribution;	540
(e) A separately itemized account of all contributions and expenditures regardless of the amount, except a receipt of a contribution from a person in the sum of twenty-five dollars or less at one social or fund-raising activity and a receipt of a contribution transmitted pursuant to section 3599.031 of the Revised Code from amounts deducted from the wages and salaries of employees if the contribution from the amount deducted from the wages and salary of any one employee is twenty-five dollars	541 542 543 544 545 546 547 548

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or less aggregated in a calendar year. An account of the total 549
 contributions from each social or fund-raising activity shall 550
 include a description of and the value of each in-kind 551
 contribution received at that activity from any person who made 552
 one or more such contributions whose aggregate value exceeded 553
 two hundred fifty dollars and shall be listed separately, 554
 together with the expenses incurred and paid in connection with 555
 that activity. A campaign committee, political action committee, 556
 legislative campaign fund, political party, or political 557
 contributing entity shall keep records of contributions from 558
 each person in the amount of twenty-five dollars or less at one 559
 social or fund-raising activity and contributions from amounts 560
 deducted under section 3599.031 of the Revised Code from the 561
 wages and salary of each employee in the amount of twenty-five 562
 dollars or less aggregated in a calendar year. No continuing 563
 association that is recognized by a state or local committee of 564
 a political party as an auxiliary of the party and that makes a 565
 contribution from funds derived solely from regular dues paid by 566
 members of the auxiliary shall be required to list the name or 567
 address of any members who paid those dues. 568

Contributions that are other income shall be itemized 569
 separately from all other contributions. The information 570
 required under division (B) (4) of this section shall be provided 571
 for all other income itemized. As used in this paragraph, "other 572
 income" means a loan, investment income, or interest income. 573

(f) In the case of a campaign committee of a state elected 574
 officer, if a person doing business with the state elected 575
 officer in the officer's official capacity makes a contribution 576
 to the campaign committee of that officer, the information 577
 required under division (B) (4) of this section in regard to that 578
 contribution, which shall be filed together with and considered 579

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a part of the committee's statement of contributions as required	580
under division (A) of this section but shall be filed on a	581
separate form provided by the secretary of state. As used in	582
this division:	583
(i) "State elected officer" has the same meaning as in	584
section 3517.092 of the Revised Code.	585
(ii) "Person doing business" means a person or an officer	586
of an entity who enters into one or more contracts with a state	587
elected officer or anyone authorized to enter into contracts on	588
behalf of that officer to receive payments for goods or	589
services, if the payments total, in the aggregate, more than	590
five thousand dollars during a calendar year.	591
(5) A statement of expenditures which shall include the	592
following information:	593
(a) The month, day, and year of the expenditure;	594
(b) The full name and address of each person, political	595
party, campaign committee, legislative campaign fund, political	596
action committee, or political contributing entity to whom the	597
expenditure was made and the registration number assigned to the	598
political action committee under division (D) (1) of this	599
section;	600
(c) The object or purpose for which the expenditure was	601
made;	602
(d) The amount of each expenditure.	603
(C) (1) The statement of contributions and expenditures	604
shall be signed by the person completing the form. If a	605
statement of contributions and expenditures is filed by	606
electronic means of transmission pursuant to this section or	607

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section 3517.106 of the Revised Code, the electronic signature
of the person who executes the statement and transmits the
statement by electronic means of transmission, as provided in
division (F) of section 3517.106 of the Revised Code, shall be
attached to or associated with the statement and shall be
binding on all persons and for all purposes under the campaign
finance reporting law as if the signature had been handwritten
in ink on a printed form.

(2) The person filing the statement, under penalty of
election falsification, shall include with it a—both of the
following:

(a) A list of each anonymous contribution, the
circumstances under which it was received, and the reason it
cannot be attributed to a specific donor;

(b) A certification that the campaign committee, political
action committee, legislative campaign fund, political party, or
political contributing entity, as applicable, has not accepted
any contribution that is prohibited under this chapter or
section 3599.03 or 3599.031 of the Revised Code during the
period covered by the statement.

(3) Each statement of a campaign committee of a candidate
who holds public office shall contain a designation of each
contributor who is an employee in any unit or department under
the candidate's direct supervision and control. In a space
provided in the statement, the person filing the statement shall
affirm that each such contribution was voluntarily made.

(4) A campaign committee that did not receive
contributions or make expenditures in connection with the
nomination or election of its candidate shall file a statement

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to that effect, on a form prescribed under this section and made	637
under penalty of election falsification, on the date required in	638
division (A) (2) of this section.	639

(5) The campaign committee of any person who attempts to	640
become a candidate and who, for any reason, does not become	641
certified in accordance with Title XXXV of the Revised Code for	642
placement on the official ballot of a primary, general, or	643
special election to be held in this state, and who, at any time	644
prior to or after an election, receives contributions or makes	645
expenditures, or has given consent for another to receive	646
contributions or make expenditures, for the purpose of bringing	647
about the person's nomination or election to public office,	648
shall file the statement or statements prescribed by this	649
section and a termination statement, if applicable. Division (C)	650
(5) of this section does not apply to any person with respect to	651
an election to the offices of member of a county or state	652
central committee, presidential elector, or delegate to a	653
national convention or conference of a political party.	654

(6) (a) The statements required to be filed under this	655
section shall specify the balance in the hands of the campaign	656
committee, political action committee, legislative campaign	657
fund, political party, or political contributing entity and the	658
disposition intended to be made of that balance.	659

(b) The secretary of state shall prescribe the form for	660
all statements required to be filed under this section and shall	661
furnish the forms to the boards of elections in the several	662
counties. The boards of elections shall supply printed copies of	663
those forms without charge. The secretary of state shall	664
prescribe the appropriate methodology, protocol, and data file	665
structure for statements required or permitted to be filed by	666

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electronic means of transmission to the secretary of state or a board of elections under division (A) of this section, division (E) of section 3517.106, division (D) of section 3517.1011, division (B) of section 3517.1012, division (C) of section 3517.1013, and divisions (D) and (I) of section 3517.1014 of the Revised Code. Subject to division (A) of this section, division (E) of section 3517.106, division (D) of section 3517.1011, division (B) of section 3517.1012, division (C) of section 3517.1013, and divisions (D) and (I) of section 3517.1014 of the Revised Code, the statements required to be stored on computer by the secretary of state under division (B) of section 3517.106 of the Revised Code shall be filed in whatever format the secretary of state considers necessary to enable the secretary of state to store the information contained in the statements on computer. Any such format shall be of a type and nature that is readily available to whoever is required to file the statements in that format.	667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683
(c) The secretary of state shall assess the need for training regarding the filing of campaign finance statements by electronic means of transmission and regarding associated technologies for candidates, campaign committees, political action committees, legislative campaign funds, political parties, or political contributing entities, for individuals, partnerships, or other entities, for persons making disbursements to pay the direct costs of producing or airing electioneering communications, or for treasurers of transition funds, required or permitted to file statements by electronic means of transmission under this section or section 3517.105, 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code. If, in the opinion of the secretary of state, training in these areas is necessary, the secretary of state	684 685 686 687 688 689 690 691 692 693 694 695 696 697

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shall arrange for the provision of voluntary training programs	698
for candidates, campaign committees, political action	699
committees, legislative campaign funds, political parties, or	700
political contributing entities, for individuals, partnerships,	701
and other entities, for persons making disbursements to pay the	702
direct costs of producing or airing electioneering	703
communications, or for treasurers of transition funds, as	704
appropriate.	705
(7) Each monthly statement and each two-business-day	706
statement required by division (A) of this section shall contain	707
the information required by divisions (B) (1) to (4), (C) (2),	708
and, if appropriate, (C) (3) of this section. Each statement	709
shall be signed as required by division (C) (1) of this section.	710
(D) (1) (a) Prior to receiving a contribution or making an	711
expenditure, every campaign committee, political action	712
committee, legislative campaign fund, political party, or	713
political contributing entity shall appoint a treasurer and	714
shall file, on a form prescribed by the secretary of state, a	715
designation of that appointment, including the full name and	716
address of the treasurer and of the campaign committee,	717
political action committee, legislative campaign fund, political	718
party, or political contributing entity. That designation shall	719
be filed with the official with whom the campaign committee,	720
political action committee, legislative campaign fund, political	721
party, or political contributing entity is required to file	722
statements under section 3517.11 of the Revised Code. The name	723
of a campaign committee shall include at least the last name of	724
the campaign committee's candidate. If two or more candidates	725
are the beneficiaries of a single campaign committee under	726
division (B) of section 3517.081 of the Revised Code, the name	727
of the campaign committee shall include at least the last name	728

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of each candidate who is a beneficiary of that campaign 729
 committee. The secretary of state shall assign a registration 730
 number to each political action committee that files a 731
 designation of the appointment of a treasurer under this 732
 division if the political action committee is required by 733
 division (A) (1) of section 3517.11 of the Revised Code to file 734
 the statements prescribed by this section with the secretary of 735
 state. 736

(b) The form of the designation of treasurer shall require 737
the filer to certify, under penalty of election falsification, 738
that the campaign committee, political action committee, 739
legislative campaign fund, political party, or political 740
contributing entity, as applicable, has not accepted, and will 741
not accept, any contribution that is prohibited under this 742
chapter or section 3599.03 or 3599.031 of the Revised Code. 743

(c) The secretary of state shall not accept for filing a 744
designation of treasurer of a political action committee or 745
political contributing entity if, in the opinion of the 746
secretary of state, the name of the political action committee 747
or political contributing entity would lead a reasonable person 748
to believe that the political action committee or political 749
contributing entity acts on behalf of or represents a county 750
political party, unless the designation is accompanied by a 751
written statement, signed by the chairperson of the county 752
political party's executive committee, granting the political 753
action committee or political contributing entity permission to 754
act on behalf of or represent the county political party. 755

(2) The treasurer appointed under division (D) (1) of this 756
 section shall keep a strict account of all contributions, from 757
 whom received and the purpose for which they were disbursed. 758

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(3) (a) Except as otherwise provided in section 3517.108 of the Revised Code, a campaign committee shall deposit all monetary contributions received by the committee into an account separate from a personal or business account of the candidate or campaign committee.	759 760 761 762 763
(b) A political action committee shall deposit all monetary contributions received by the committee into an account separate from all other funds.	764 765 766
(c) A state or county political party may establish a state candidate fund that is separate from all other funds. A state or county political party may deposit into its state candidate fund any amounts of monetary contributions that are made to or accepted by the political party subject to the applicable limitations, if any, prescribed in section 3517.102 of the Revised Code. A state or county political party shall deposit all other monetary contributions received by the party into one or more accounts that are separate from its state candidate fund.	767 768 769 770 771 772 773 774 775 776
(d) Each state political party shall have only one legislative campaign fund for each house of the general assembly. Each such fund shall be separate from any other funds or accounts of that state party. A legislative campaign fund is authorized to receive contributions and make expenditures for the primary purpose of furthering the election of candidates who are members of that political party to the house of the general assembly with which that legislative campaign fund is associated. Each legislative campaign fund shall be administered and controlled in a manner designated by the caucus. As used in this division, "caucus" has the same meaning as in section 3517.01 of the Revised Code and includes, as an ex officio	777 778 779 780 781 782 783 784 785 786 787 788

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member, the chairperson of the state political party with which 789
 the caucus is associated or that chairperson's designee. 790

(4) Every expenditure in excess of twenty-five dollars 791
 shall be vouched for by a receipted bill, stating the purpose of 792
 the expenditure, that shall be filed with the statement of 793
 expenditures. A canceled check with a notation of the purpose of 794
 the expenditure is a receipted bill for purposes of division (D) 795
 (4) of this section. 796

(5) The secretary of state or the board of elections, as 797
 the case may be, shall issue a receipt for each statement filed 798
 under this section and shall preserve a copy of the receipt for 799
 a period of at least six years. All statements filed under this 800
 section shall be open to public inspection in the office where 801
 they are filed and shall be carefully preserved for a period of 802
 at least six years after the year in which they are filed. 803

(6) The secretary of state, by rule adopted pursuant to 804
 section 3517.23 of the Revised Code, shall prescribe both of the 805
 following: 806

(a) The manner of immediately acknowledging, with date and 807
 time received, and preserving the receipt of statements that are 808
 transmitted by electronic means of transmission to the secretary 809
 of state or a board of elections pursuant to this section or 810
 section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 811
 of the Revised Code; 812

(b) The manner of preserving the contribution and 813
 expenditure, contribution and disbursement, deposit and 814
 disbursement, gift and disbursement, or donation and 815
 disbursement information in the statements described in division 816
 (D) (6) (a) of this section. The secretary of state shall preserve 817

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the contribution and expenditure, contribution and disbursement,	818
deposit and disbursement, gift and disbursement, or donation and	819
disbursement information in those statements for at least ten	820
years after the year in which they are filed by electronic means	821
of transmission.	822
(7) (a) The secretary of state, pursuant to division (G) of	823
section 3517.106 of the Revised Code, shall make available	824
online to the public through the internet the contribution and	825
expenditure, contribution and disbursement, deposit and	826
disbursement, gift and disbursement, or donation and	827
disbursement information in all of the following documents:	828
(i) All statements, all addenda, amendments, or other	829
corrections to statements, and all amended statements filed with	830
the secretary of state by electronic or other means of	831
transmission under this section, division (B) (2) (b) or (C) (2) (b)	832
of section 3517.105, or section 3517.106, 3517.1011, 3517.1012,	833
3517.1013, 3517.1014, or 3517.11 of the Revised Code;	834
(ii) All statements filed with a board of elections by	835
electronic means of transmission, and all addenda, amendments,	836
corrections, and amended versions of those statements, filed	837
with the board under this section, division (B) (2) (b) or (C) (2)	838
(b) of section 3517.105, or section 3517.106, 3517.1012, or	839
3517.11 of the Revised Code.	840
(b) The secretary of state may remove the information from	841
the internet after a reasonable period of time.	842
(E) (1) Any person, political party, campaign committee,	843
legislative campaign fund, political action committee, or	844
political contributing entity that makes a contribution in	845
connection with the nomination or election of any candidate or	846

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in connection with any ballot issue or question at any election 847
held or to be held in this state shall provide its full name and 848
address to the recipient of the contribution at the time the 849
contribution is made. The political action committee also shall 850
provide the registration number assigned to the committee under 851
division (D) (1) of this section to the recipient of the 852
contribution at the time the contribution is made. 853

(2) Any individual who makes a contribution that exceeds 854
one hundred dollars to a political action committee, political 855
contributing entity, legislative campaign fund, or political 856
party or to a campaign committee of a statewide candidate or 857
candidate for the office of member of the general assembly shall 858
provide the name of the individual's current employer, if any, 859
or, if the individual is self-employed, the individual's 860
occupation and the name of the individual's business, if any, to 861
the recipient of the contribution at the time the contribution 862
is made. Sections 3599.39 and 3599.40 of the Revised Code do not 863
apply to division (E) (2) of this section. 864

(3) If a campaign committee shows that it has exercised 865
its best efforts to obtain, maintain, and submit the information 866
required under divisions (B) (4) (b) (ii) and (iii) of this 867
section, that committee is considered to have met the 868
requirements of those divisions. A campaign committee shall not 869
be considered to have exercised its best efforts unless, in 870
connection with written solicitations, it regularly includes a 871
written request for the information required under division (B) 872
(4) (b) (ii) of this section from the contributor or the 873
information required under division (B) (4) (b) (iii) of this 874
section from whoever transmits the contribution. 875

(4) Any check that a political action committee uses to 876

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make a contribution or an expenditure shall contain the full name and address of the committee and the registration number assigned to the committee under division (D) (1) of this section.	877 878 879
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(F) As used in this section:	880
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(1) (a) Except as otherwise provided in division (F) (1) of this section, "address" means all of the following if they exist: apartment number, street, road, or highway name and number, rural delivery route number, city or village, state, and zip code as used in a person's post-office address, but not post-office box.	881 882 883 884 885 886
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(b) Except as otherwise provided in division (F) (1) of this section, if an address is required in this section, a post- office box and office, room, or suite number may be included in addition to, but not in lieu of, an apartment, street, road, or highway name and number.	887 888 889 890 891
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(c) If an address is required in this section, a campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity may use the business or residence address of its treasurer or deputy treasurer. The post-office box number of the campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity may be used in addition to that address.	892 893 894 895 896 897 898 899
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(d) For the sole purpose of a campaign committee's reporting of contributions on a statement of contributions received under division (B) (4) of this section, "address" has one of the following meanings at the option of the campaign committee:	900 901 902 903 904
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(i) The same meaning as in division (F) (1) (a) of this	905
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section;	906
(ii) All of the following, if they exist: the contributor's post-office box number and city or village, state, and zip code as used in the contributor's post-office address.	907 908 909
(e) As used with regard to the reporting under this section of any expenditure, "address" means all of the following if they exist: apartment number, street, road, or highway name and number, rural delivery route number, city or village, state, and zip code as used in a person's post-office address, or post-office box. If an address concerning any expenditure is required in this section, a campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity may use the business or residence address of its treasurer or deputy treasurer or its post-office box number.	910 911 912 913 914 915 916 917 918 919 920
(2) "Statewide candidate" means the joint candidates for the offices of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, attorney general, member of the state board of education, chief justice of the supreme court, or justice of the supreme court.	921 922 923 924 925 926
(3) "Candidate for county office" means a candidate for the office of county auditor, county treasurer, clerk of the court of common pleas, judge of the court of common pleas, sheriff, county recorder, county engineer, county commissioner, prosecuting attorney, or coroner.	927 928 929 930 931
(G) An independent expenditure shall be reported whenever and in the same manner that an expenditure is required to be reported under this section and shall be reported pursuant to	932 933 934

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division (B) (2) (a) or (C) (2) (a) of section 3517.105 of the Revised Code.	935 936
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(H) (1) Except as otherwise provided in division (H) (2) of this section, if, during the combined pre-election and postelection reporting periods for an election, a campaign committee has received contributions of five hundred dollars or less and has made expenditures in the total amount of five hundred dollars or less, it may file a statement to that effect, under penalty of election falsification, in lieu of the statement required by division (A) (2) of this section. The statement shall indicate the total amount of contributions received and the total amount of expenditures made during those combined reporting periods.	937 938 939 940 941 942 943 944 945 946 947
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(2) In the case of a successful candidate at a primary election, if either the total contributions received by or the total expenditures made by the candidate's campaign committee during the preprimary, postprimary, pregeneral, and postgeneral election periods combined equal more than five hundred dollars, the campaign committee may file the statement under division (H) (1) of this section only for the primary election. The first statement that the campaign committee files in regard to the general election shall reflect all contributions received and all expenditures made during the preprimary and postprimary election periods.	948 949 950 951 952 953 954 955 956 957 958
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(3) Divisions (H) (1) and (2) of this section do not apply if a campaign committee receives contributions or makes expenditures prior to the first day of January of the year of the election at which the candidate seeks nomination or election to office or if the campaign committee does not file a termination statement with its postprimary election statement in	959 960 961 962 963 964
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the case of an unsuccessful primary election candidate or with its postgeneral election statement in the case of other candidates.	965 966 967
(I) In the case of a contribution made by a partner of a partnership or an owner or a member of another unincorporated business from any funds of the partnership or other unincorporated business, all of the following apply:	968 969 970 971
(1) The recipient of the contribution shall report the contribution by listing both the partnership or other unincorporated business and the name of the partner, owner, or member making the contribution.	972 973 974 975
(2) In reporting the contribution, the recipient of the contribution shall be entitled to conclusively rely upon the information provided by the partnership or other unincorporated business, provided that the information includes one of the following:	976 977 978 979 980
(a) The name of each partner, owner, or member as of the date of the contribution or contributions, and a statement that the total contributions are to be allocated equally among all of the partners, owners, or members; or	981 982 983 984
(b) The name of each partner, owner, or member as of the date of the contribution or contributions who is participating in the contribution or contributions, and a statement that the contribution or contributions are to be allocated to those individuals in accordance with the information provided by the partnership or other unincorporated business to the recipient of the contribution.	985 986 987 988 989 990 991
(3) For purposes of section 3517.102 of the Revised Code, the contribution shall be considered to have been made by the	992 993

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partner, owner, or member reported under division (I)(1) of this section.	994 995
(4) No contribution from a partner of a partnership or an owner or a member of another unincorporated business shall be accepted from any funds of the partnership or other unincorporated business unless the recipient reports the contribution under division (I)(1) of this section together with the information provided under division (I)(2) of this section.	996 997 998 999 1000 1001
(5) No partnership or other unincorporated business shall make a contribution or contributions solely in the name of the partnership or other unincorporated business.	1002 1003 1004
(6) As used in division (I) of this section, "partnership or other unincorporated business" includes, but is not limited to, a cooperative, a sole proprietorship, a general partnership, a limited partnership, a limited partnership association, a limited liability partnership, and a limited liability company.	1005 1006 1007 1008 1009
(J) A candidate shall have only one campaign committee at any given time for all of the offices for which the person is a candidate or holds office.	1010 1011 1012
(K) (1) In addition to filing a designation of appointment of a treasurer under division (D)(1) of this section, the campaign committee of any candidate for an elected municipal office that pays an annual amount of compensation of five thousand dollars or less, the campaign committee of any candidate for member of a board of education except member of the state board of education, or the campaign committee of any candidate for township trustee or township fiscal officer may sign, under penalty of election falsification, a certificate attesting that the committee will not accept contributions	1013 1014 1015 1016 1017 1018 1019 1020 1021 1022

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during an election period that exceed in the aggregate two thousand dollars from all contributors and one hundred dollars from any one individual, and that the campaign committee will not make expenditures during an election period that exceed in the aggregate two thousand dollars. 1023
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The certificate shall be on a form prescribed by the secretary of state and shall be filed not later than ten days after the candidate files a declaration of candidacy and petition, a nominating petition, or a declaration of intent to be a write-in candidate. 1028
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(2) Except as otherwise provided in division (K) (3) of this section, a campaign committee that files a certificate under division (K) (1) of this section is not required to file the statements required by division (A) of this section. 1033
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(3) If, after filing a certificate under division (K) (1) of this section, a campaign committee exceeds any of the limitations described in that division during an election period, the certificate is void and thereafter the campaign committee shall file the statements required by division (A) of this section. If the campaign committee has not previously filed a statement, then on the first statement the campaign committee is required to file under division (A) of this section after the committee's certificate is void, the committee shall report all contributions received and expenditures made from the time the candidate filed the candidate's declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate. 1037
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(4) As used in division (K) of this section, "election period" means the period of time beginning on the day a person files a declaration of candidacy and petition, nominating 1050
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petition, or declaration of intent to be a write-in candidate 1053
 through the day of the election at which the person seeks 1054
 nomination to office if the person is not elected to office, or, 1055
 if the candidate was nominated in a primary election, the day of 1056
 the election at which the candidate seeks office. 1057

(L) A political contributing entity that receives 1058
 contributions from the dues, membership fees, or other 1059
 assessments of its members or from its officers, shareholders, 1060
 and employees may report the aggregate amount of contributions 1061
 received from those contributors and the number of individuals 1062
 making those contributions, for each filing period under 1063
 divisions (A) (1), (2), (3), and (4) of this section, rather than 1064
 reporting information as required under division (B) (4) of this 1065
 section, including, when applicable, the name of the current 1066
 employer, if any, of a contributor whose contribution exceeds 1067
 one hundred dollars or, if such a contributor is self-employed, 1068
 the contributor's occupation and the name of the contributor's 1069
 business, if any. Division (B) (4) of this section applies to a 1070
 political contributing entity with regard to contributions it 1071
 receives from all other contributors. 1072

Sec. 3517.12. (A) Prior to receiving a contribution or 1073
making an expenditure, the circulator or If the committee in 1074
 charge of an initiative or referendum petition, or supplementary 1075
 petition for additional signatures, for the submission to the 1076
electors of a constitutional amendment, proposed law, section, 1077
or item of any law ballot issue or question receives a 1078
contribution or makes an expenditure for the purpose of 1079
achieving the successful circulation of the petition, the 1080
committee is considered a political action committee for that 1081
purpose and shall appoint a treasurer and shall file with the 1082
secretary of state, on a form prescribed by the secretary of 1083

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state, a designation of that appointment, including the full
 name and address of the treasurer and of the circulator or
committee comply with all applicable requirements of this
chapter concerning political action committees, including filing
a designation of treasurer under division (D) of section 3517.10
of the Revised Code before receiving a contribution or making an
expenditure and filing all required statements of contributions
and expenditures.

(B) ~~The circulator or If~~ the committee in charge of an
 initiative or referendum petition, or supplementary petition for
 additional signatures, for the submission to the electors of a
constitutional amendment, proposed law, section, or item of any
law ballot issue or question receives no contributions and makes
no expenditures for the purpose of achieving the successful
circulation of the petition, and is not otherwise considered a
campaign committee, political party, legislative campaign fund,
political action committee, or political contributing entity,
then the committee shall, within thirty days after those the
petition papers are is filed, file with the secretary of state
office with which the petition is filed, on a form prescribed by
 the secretary of state, an itemized a statement, made under
 penalty of election falsification, showing in detail the
 following:

(1) All money or things of value paid, given, promised, or
 received for circulating the petitions;

(2) All appointments, promotions, or increases in salary,
 in positions which were given, promised, or received, or to
 obtain which assistance was given, promised, or received as a
 consideration for work done in circulating petitions;

(3) Full names and addresses, including street, city, and

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~~state, of all persons to whom such payments or promises were made and of all persons from whom such payments or promises were received;~~ 1114
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~~(4) Full names and addresses, including street, city, and state, of all persons who contributed anything of value to be used in circulating the petitions, and the amounts of those contributions;~~ 1117
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~~(5) Time spent and salaries earned while soliciting signatures to petitions by persons who were regular salaried employees of some person or whom that employer authorized to solicit as part of their regular duties.~~ 1121
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~~If that the committee received no money or things of value were paid or received or if no promises were made or received as a consideration for work done in circulating a petition, the statement shall contain words to that effect contributions and made no expenditures for the purpose of achieving the successful circulation of the petition.~~ 1125
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~~(C) The treasurer designated under division (A) of this section shall file statements of contributions and expenditures in accordance with section 3517.10 of the Revised Code regarding all contributions made or received and all expenditures made by that treasurer or the circulator or committee in connection with the initiative or referendum petition, or supplementary petition for additional signatures, for the submission of a constitutional amendment, proposed law, section, or item of any law.~~ 1131
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Sec. 3517.121. (A) Before receiving a contribution, as defined in section 3517.01 of the Revised Code, or making an expenditure on or after the effective date of this section, 1140
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every alternative political organization shall appoint a 1143
treasurer and shall file a designation of that appointment under 1144
division (D) (1) of section 3517.10 of the Revised Code as though 1145
the alternative political organization were a political 1146
contributing entity. The form of the designation shall indicate 1147
that the filer is an alternative political organization. 1148

(B) (1) Except as otherwise provided in division (C) of 1149
this section, an alternative political organization shall file 1150
statements of contributions and expenditures under section 1151
3517.10 of the Revised Code as though it were a political 1152
contributing entity and shall be deemed to be a political 1153
contributing entity for all purposes under this chapter. 1154

(2) For purposes of an alternative political organization 1155
reporting contributions received by the alternative political 1156
organization as required by division (B) (1) of this section: 1157

(a) "Contribution" has the meaning defined in section 1158
3517.01 of the Revised Code if the alternative political 1159
organization does all of the following: 1160

(i) Deposits in a separate account from its general funds 1161
all loans, gifts, deposits, donations, advances, payments, or 1162
transfers of funds or anything of value, including a transfer of 1163
funds from an inter vivos or testamentary trust or decedent's 1164
estate and the payment by any person other than the person to 1165
whom the services are rendered for the personal services of 1166
another person, that are made to or received by the alternative 1167
political organization for the purpose of influencing the 1168
results of an election; 1169

(ii) Does not transfer to that separate account any other 1170
loans, gifts, deposits, donations, advances, payments, or 1171

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<u>transfers of funds or anything of value, including a transfer of</u>	1172
<u>funds from an inter vivos or testamentary trust or decedent's</u>	1173
<u>estate and the payment by any person other than the person to</u>	1174
<u>whom the services are rendered for the personal services of</u>	1175
<u>another person, that are made to or received by the alternative</u>	1176
<u>political organization;</u>	1177
<u>(iii) Makes contributions and expenditures only from that</u>	1178
<u>separate account.</u>	1179
<u>(b) If an alternative political organization does not</u>	1180
<u>follow the procedure described in division (B) (2) (a) of this</u>	1181
<u>section, then any loan, gift, deposit, forgiveness of</u>	1182
<u>indebtedness, donation, advance, payment, or transfer of funds</u>	1183
<u>or anything of value, including a transfer of funds from an</u>	1184
<u>inter vivos or testamentary trust or decedent's estate and the</u>	1185
<u>payment by any person other than the person to whom the services</u>	1186
<u>are rendered for the personal services of another person, that</u>	1187
<u>is made to or received by the alternative political organization</u>	1188
<u>is considered a contribution, regardless of whether it is made</u>	1189
<u>or received for the purpose of influencing the results of an</u>	1190
<u>election.</u>	1191
<u>(C) (1) Upon filing a designation of appointment of a</u>	1192
<u>treasurer under division (A) of this section or upon filing a</u>	1193
<u>report of contributions and expenditures under division (B) of</u>	1194
<u>this section, an alternative political organization may file a</u>	1195
<u>certificate attesting that the alternative political</u>	1196
<u>organization has not accepted, and will not accept, anything of</u>	1197
<u>value from a foreign national, directly or indirectly, in the</u>	1198
<u>form of a contribution or for any other purpose. The certificate</u>	1199
<u>shall be on a form prescribed by the secretary of state and</u>	1200
<u>shall be signed under penalty of election falsification. Except</u>	1201

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as otherwise provided in division (C) (2) of this section, an alternative political organization that files a certificate under this division is no longer subject to the requirements of division (B) of this section.

(2) If, after filing a certificate under division (C) (1) of this section, an alternative political organization accepts anything of value from a foreign national, directly or indirectly, in the form of a contribution or for any other purpose, the certificate is void. Thereafter, the alternative political organization is subject to the requirements of division (B) of this section. On the first statement of contributions and expenditures the alternative political organization is required to file after the certificate is void, the alternative political organization shall report all contributions received and expenditures made from the time the alternative political organization filed its designation of appointment of a treasurer under division (A) of this section or from the close of business on the last day reflected in its last previously filed statement of contributions and expenditures, as applicable.

(3) As used in division (D) of this section, "foreign national" has the same meaning as in division (W) of section 3517.13 of the Revised Code.

Sec. 3517.13. (A) (1) No campaign committee of a statewide candidate shall fail to file a complete and accurate statement required under division (A) (1) of section 3517.10 of the Revised Code.

(2) No campaign committee of a statewide candidate shall fail to file a complete and accurate monthly statement, and no campaign committee of a statewide candidate or a candidate for

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the office of chief justice or justice of the supreme court 1232
shall fail to file a complete and accurate two-business-day 1233
statement, as required under section 3517.10 of the Revised 1234
Code. 1235

As used in this division, "statewide candidate" has the 1236
same meaning as in division (F) (2) of section 3517.10 of the 1237
Revised Code. 1238

(B) No campaign committee shall fail to file a complete 1239
and accurate statement required under division (A) (1) of section 1240
3517.10 of the Revised Code. 1241

(C) No campaign committee shall fail to file a complete 1242
and accurate statement required under division (A) (2) of section 1243
3517.10 of the Revised Code. 1244

(D) No campaign committee shall fail to file a complete 1245
and accurate statement required under division (A) (3) or (4) of 1246
section 3517.10 of the Revised Code. 1247

(E) No person other than a campaign committee shall 1248
knowingly fail to file a statement required under section 1249
3517.10or, 3517.107, or 3517.121 of the Revised Code. 1250

(F) No person shall make cash contributions to any person 1251
totaling more than one hundred dollars in each primary, special, 1252
or general election. 1253

(G) (1) No person shall knowingly conceal or misrepresent 1254
contributions given or received, expenditures made, or any other 1255
information required to be reported by a provision in sections 1256
3517.08 to 3517.13 of the Revised Code. 1257

(2) (a) No person shall make a contribution to a campaign 1258
committee, political action committee, political contributing 1259

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entity, legislative campaign fund, political party, or person making disbursements to pay the direct costs of producing or airing electioneering communications in the name of another person.	1260 1261 1262 1263
(b) A person does not make a contribution in the name of another when either of the following applies:	1264 1265
(i) An individual makes a contribution from a partnership or other unincorporated business account, if the contribution is reported by listing both the name of the partnership or other unincorporated business and the name of the partner or owner making the contribution as required under division (I) of section 3517.10 of the Revised Code.	1266 1267 1268 1269 1270 1271
(ii) A person makes a contribution in that person's spouse's name or in both of their names.	1272 1273
(H) No person within this state, publishing a newspaper or other periodical, shall charge a campaign committee for political advertising a rate in excess of the rate such person would charge if the campaign committee were a general rate advertiser whose advertising was directed to promoting its business within the same area as that encompassed by the particular office that the candidate of the campaign committee is seeking. The rate shall take into account the amount of space used, as well as the type of advertising copy submitted by or on behalf of the campaign committee. All discount privileges otherwise offered by a newspaper or periodical to general rate advertisers shall be available upon equal terms to all campaign committees.	1274 1275 1276 1277 1278 1279 1280 1281 1282 1283 1284 1285 1286
No person within this state, operating a radio or television station or network of stations in this state, shall	1287 1288

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charge a campaign committee for political broadcasts a rate that 1289
 exceeds: 1290

(1) During the forty-five days preceding the date of a 1291
 primary election and during the sixty days preceding the date of 1292
 a general or special election in which the candidate of the 1293
 campaign committee is seeking office, the lowest unit charge of 1294
 the station for the same class and amount of time for the same 1295
 period; 1296

(2) At any other time, the charges made for comparable use 1297
 of that station by its other users. 1298

(I) Subject to divisions (K), (L), (M), and (N) of this 1299
 section, no agency or department of this state or any political 1300
 subdivision shall award any contract, other than one let by 1301
 competitive bidding or a contract incidental to such contract or 1302
 which is by force account, for the purchase of goods costing 1303
 more than five hundred dollars or services costing more than 1304
 five hundred dollars to any individual, partnership, 1305
 association, including, without limitation, a professional 1306
 association organized under Chapter 1785. of the Revised Code, 1307
 estate, or trust if the individual has made or the individual's 1308
 spouse has made, or any partner, shareholder, administrator, 1309
 executor, or trustee or the spouse of any of them has made, as 1310
 an individual, within the two previous calendar years, one or 1311
 more contributions totaling in excess of one thousand dollars to 1312
 the holder of the public office having ultimate responsibility 1313
 for the award of the contract or to the public officer's 1314
 campaign committee. 1315

(J) Subject to divisions (K), (L), (M), and (N) of this 1316
 section, no agency or department of this state or any political 1317
 subdivision shall award any contract, other than one let by 1318

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competitive bidding or a contract incidental to such contract or 1319
which is by force account, for the purchase of goods costing 1320
more than five hundred dollars or services costing more than 1321
five hundred dollars to a corporation or business trust, except 1322
a professional association organized under Chapter 1785. of the 1323
Revised Code, if an owner of more than twenty per cent of the 1324
corporation or business trust or the spouse of that person has 1325
made, as an individual, within the two previous calendar years, 1326
taking into consideration only owners for all of that period, 1327
one or more contributions totaling in excess of one thousand 1328
dollars to the holder of a public office having ultimate 1329
responsibility for the award of the contract or to the public 1330
officer's campaign committee. 1331

(K) For purposes of divisions (I) and (J) of this section, 1332
if a public officer who is responsible for the award of a 1333
contract is appointed by the governor, whether or not the 1334
appointment is subject to the advice and consent of the senate, 1335
excluding members of boards, commissions, committees, 1336
authorities, councils, boards of trustees, task forces, and 1337
other such entities appointed by the governor, the office of the 1338
governor is considered to have ultimate responsibility for the 1339
award of the contract. 1340

(L) For purposes of divisions (I) and (J) of this section, 1341
if a public officer who is responsible for the award of a 1342
contract is appointed by the elected chief executive officer of 1343
a municipal corporation, or appointed by the elected chief 1344
executive officer of a county operating under an alternative 1345
form of county government or county charter, excluding members 1346
of boards, commissions, committees, authorities, councils, 1347
boards of trustees, task forces, and other such entities 1348
appointed by the chief executive officer, the office of the 1349

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chief executive officer is considered to have ultimate 1350
 responsibility for the award of the contract. 1351

(M) (1) Divisions (I) and (J) of this section do not apply 1352
 to contracts awarded by the board of commissioners of the 1353
 sinking fund, municipal legislative authorities, boards of 1354
 education, boards of county commissioners, boards of township 1355
 trustees, or other boards, commissions, committees, authorities, 1356
 councils, boards of trustees, task forces, and other such 1357
 entities created by law, by the supreme court or courts of 1358
 appeals, by county courts consisting of more than one judge, 1359
 courts of common pleas consisting of more than one judge, or 1360
 municipal courts consisting of more than one judge, or by a 1361
 division of any court if the division consists of more than one 1362
 judge. This division shall apply to the specified entity only if 1363
 the members of the entity act collectively in the award of a 1364
 contract for goods or services. 1365

(2) Divisions (I) and (J) of this section do not apply to 1366
 actions of the controlling board. 1367

(N) (1) Divisions (I) and (J) of this section apply to 1368
 contributions made to the holder of a public office having 1369
 ultimate responsibility for the award of a contract, or to the 1370
 public officer's campaign committee, during the time the person 1371
 holds the office and during any time such person was a candidate 1372
 for the office. Those divisions do not apply to contributions 1373
 made to, or to the campaign committee of, a candidate for or 1374
 holder of the office other than the holder of the office at the 1375
 time of the award of the contract. 1376

(2) Divisions (I) and (J) of this section do not apply to 1377
 contributions of a partner, shareholder, administrator, 1378
 executor, trustee, or owner of more than twenty per cent of a 1379

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corporation or business trust made before the person held any of 1380
 those positions or after the person ceased to hold any of those 1381
 positions in the partnership, association, estate, trust, 1382
 corporation, or business trust whose eligibility to be awarded a 1383
 contract is being determined, nor to contributions of the 1384
 person's spouse made before the person held any of those 1385
 positions, after the person ceased to hold any of those 1386
 positions, before the two were married, after the granting of a 1387
 decree of divorce, dissolution of marriage, or annulment, or 1388
 after the granting of an order in an action brought solely for 1389
 legal separation. Those divisions do not apply to contributions 1390
 of the spouse of an individual whose eligibility to be awarded a 1391
 contract is being determined made before the two were married, 1392
 after the granting of a decree of divorce, dissolution of 1393
 marriage, or annulment, or after the granting of an order in an 1394
 action brought solely for legal separation. 1395

(O) No beneficiary of a campaign fund or other person 1396
 shall convert for personal use, and no person shall knowingly 1397
 give to a beneficiary of a campaign fund or any other person, 1398
 for the beneficiary's or any other person's personal use, 1399
 anything of value from the beneficiary's campaign fund, 1400
 including, without limitation, payments to a beneficiary for 1401
 services the beneficiary personally performs, except as 1402
 reimbursement for any of the following: 1403

(1) Legitimate and verifiable prior campaign expenses 1404
 incurred by the beneficiary; 1405

(2) Legitimate and verifiable ordinary and necessary prior 1406
 expenses incurred by the beneficiary in connection with duties 1407
 as the holder of a public office, including, without limitation, 1408
 expenses incurred through participation in nonpartisan or 1409

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bipartisan events if the participation of the holder of a public office would normally be expected;	1410 1411
(3) Legitimate and verifiable ordinary and necessary prior expenses incurred by the beneficiary while doing any of the following:	1412 1413 1414
(a) Engaging in activities in support of or opposition to a candidate other than the beneficiary, political party, or ballot issue;	1415 1416 1417
(b) Raising funds for a political party, political action committee, political contributing entity, legislative campaign fund, campaign committee, or other candidate;	1418 1419 1420
(c) Participating in the activities of a political party, political action committee, political contributing entity, legislative campaign fund, or campaign committee;	1421 1422 1423
(d) Attending a political party convention or other political meeting.	1424 1425
For purposes of this division, an expense is incurred whenever a beneficiary has either made payment or is obligated to make payment, as by the use of a credit card or other credit procedure or by the use of goods or services received on account.	1426 1427 1428 1429 1430
(P) No beneficiary of a campaign fund shall knowingly accept, and no person shall knowingly give to the beneficiary of a campaign fund, reimbursement for an expense under division (O) of this section to the extent that the expense previously was reimbursed or paid from another source of funds. If an expense is reimbursed under division (O) of this section and is later paid or reimbursed, wholly or in part, from another source of funds, the beneficiary shall repay the reimbursement received	1431 1432 1433 1434 1435 1436 1437 1438

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under division (O) of this section to the extent of the payment 1439
made or reimbursement received from the other source. 1440

(Q) No candidate or public official or employee shall 1441
accept for personal or business use anything of value from a 1442
political party, political action committee, political 1443
contributing entity, legislative campaign fund, or campaign 1444
committee other than the candidate's or public official's or 1445
employee's own campaign committee, and no person shall knowingly 1446
give to a candidate or public official or employee anything of 1447
value from a political party, political action committee, 1448
political contributing entity, legislative campaign fund, or 1449
such a campaign committee, except for the following: 1450

(1) Reimbursement for legitimate and verifiable ordinary 1451
and necessary prior expenses not otherwise prohibited by law 1452
incurred by the candidate or public official or employee while 1453
engaged in any legitimate activity of the political party, 1454
political action committee, political contributing entity, 1455
legislative campaign fund, or such campaign committee. Without 1456
limitation, reimbursable expenses under this division include 1457
those incurred while doing any of the following: 1458

(a) Engaging in activities in support of or opposition to 1459
another candidate, political party, or ballot issue; 1460

(b) Raising funds for a political party, legislative 1461
campaign fund, campaign committee, or another candidate; 1462

(c) Attending a political party convention or other 1463
political meeting. 1464

(2) Compensation not otherwise prohibited by law for 1465
actual and valuable personal services rendered under a written 1466
contract to the political party, political action committee, 1467

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political contributing entity, legislative campaign fund, or 1468
such campaign committee for any legitimate activity of the 1469
political party, political action committee, political 1470
contributing entity, legislative campaign fund, or such campaign 1471
committee. 1472

Reimbursable expenses under this division do not include, 1473
and it is a violation of this division for a candidate or public 1474
official or employee to accept, or for any person to knowingly 1475
give to a candidate or public official or employee from a 1476
political party, political action committee, political 1477
contributing entity, legislative campaign fund, or campaign 1478
committee other than the candidate's or public official's or 1479
employee's own campaign committee, anything of value for 1480
activities primarily related to the candidate's or public 1481
official's or employee's own campaign for election, except for 1482
contributions to the candidate's or public official's or 1483
employee's campaign committee. 1484

For purposes of this division, an expense is incurred 1485
whenever a candidate or public official or employee has either 1486
made payment or is obligated to make payment, as by the use of a 1487
credit card or other credit procedure, or by the use of goods or 1488
services on account. 1489

(R) (1) Division (O) or (P) of this section does not 1490
prohibit a campaign committee from making direct advance or post 1491
payment from contributions to vendors for goods and services for 1492
which reimbursement is permitted under division (O) of this 1493
section, except that no campaign committee shall pay its 1494
candidate or other beneficiary for services personally performed 1495
by the candidate or other beneficiary. 1496

(2) If any expense that may be reimbursed under division 1497

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(O), (P), or (Q) of this section is part of other expenses that may not be paid or reimbursed, the separation of the two types of expenses for the purpose of allocating for payment or reimbursement those expenses that may be paid or reimbursed may be by any reasonable accounting method, considering all of the surrounding circumstances.	1498 1499 1500 1501 1502 1503
(3) For purposes of divisions (O), (P), and (Q) of this section, mileage allowance at a rate not greater than that allowed by the internal revenue service at the time the travel occurs may be paid instead of reimbursement for actual travel expenses allowable.	1504 1505 1506 1507 1508
(S) (1) As used in division (S) of this section:	1509
(a) "State elective office" has the same meaning as in section 3517.092 of the Revised Code.	1510 1511
(b) "Federal office" means a federal office as defined in the Federal Election Campaign Act.	1512 1513
(c) "Federal campaign committee" means a principal campaign committee or authorized committee as defined in the Federal Election Campaign Act.	1514 1515 1516
(2) No person who is a candidate for state elective office and who previously sought nomination or election to a federal office shall transfer any funds or assets from that person's federal campaign committee for nomination or election to the federal office to that person's campaign committee as a candidate for state elective office.	1517 1518 1519 1520 1521 1522
(3) No campaign committee of a person who is a candidate for state elective office and who previously sought nomination or election to a federal office shall accept any funds or assets from that person's federal campaign committee for that person's	1523 1524 1525 1526

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nomination or election to the federal office. 1527

(T) (1) Except as otherwise provided in division (B) (6) (c) 1528
of section 3517.102 of the Revised Code, a state or county 1529
political party shall not disburse moneys from any account other 1530
than a state candidate fund to make contributions to any of the 1531
following: 1532

(a) A state candidate fund; 1533

(b) A legislative campaign fund; 1534

(c) A campaign committee of a candidate for the office of 1535
governor, lieutenant governor, secretary of state, auditor of 1536
state, treasurer of state, attorney general, member of the state 1537
board of education, or member of the general assembly. 1538

(2) No state candidate fund, legislative campaign fund, or 1539
campaign committee of a candidate for any office described in 1540
division (T) (1) (c) of this section shall knowingly accept a 1541
contribution in violation of division (T) (1) of this section. 1542

(U) No person shall fail to file a statement required 1543
under section 3517.12 of the Revised Code. 1544

(V) No campaign committee shall fail to file a statement 1545
required under division (K) (3) of section 3517.10 of the Revised 1546
Code. 1547

(W) (1) No foreign national shall, directly or indirectly 1548
through any other person or entity, make do either of the 1549
following: 1550

(a) Make a contribution, expenditure, or independent 1551
expenditure or promise, either expressly or implicitly, to make 1552
a contribution, expenditure, or independent expenditure in 1553
support of or opposition to a candidate for any elective office 1554

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~~in this state, including an office of a political party;~~ 1555

(b) Solicit another person to make a contribution, 1556
expenditure, or independent expenditure. 1557

(2) No candidate, campaign committee, political action 1558
 committee, political contributing entity, legislative campaign 1559
 fund, state candidate fund, political party, ~~or separate~~ 1560
~~segregated fund, federal political committee, or alternative~~ 1561
~~political organization shall do either of the following:~~ 1562

(a) Transfer funds, or accept a transfer of funds, 1563
directly or indirectly into an account from which the person 1564
makes contributions or expenditures from an account that is 1565
controlled by the person or by the person's affiliate and that, 1566
at any time, has contained funds received directly or indirectly 1567
from a foreign national. For purposes of this division, a person 1568
is affiliated with another person if they are both established, 1569
financed, maintained, or controlled by, or if they are, the same 1570
corporation, organization, labor organization, or other person, 1571
including any parent, subsidiary, division, or department of 1572
that corporation, organization, labor organization, or other 1573
person. 1574

(b) Otherwise solicit or accept a contribution, 1575
expenditure, or independent expenditure, directly or indirectly 1576
through another person, from a foreign national. The secretary 1577
of state may direct any candidate, committee, entity, fund, or 1578
party that accepts a contribution, expenditure, or independent 1579
expenditure in violation of this division to return the 1580
contribution, expenditure, or independent expenditure or, if it 1581
is not possible to return the contribution, expenditure, or 1582
independent expenditure, then to return instead the value of it, 1583
to the contributor. 1584

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(3) As used in division (W) of this section, "foreign national" ~~has the same meaning as in section 441e(b) of the Federal Election Campaign Act~~ means any of the following, as applicable:

(a) In the case of an individual, an individual who is not a United States citizen or national; 1589
 1590

(b) A government of a foreign country or of a political subdivision of a foreign country; 1591
 1592

(c) A foreign political party; 1593

(d) A person, other than an individual, that is organized under the laws of, or has its principal place of business in, a foreign country. 1594
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(X) (1) No state or county political party shall transfer any moneys from its restricted fund to any account of the political party into which contributions may be made or from which contributions or expenditures may be made. 1597
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(2) (a) No state or county political party shall deposit a contribution or contributions that it receives into its restricted fund. 1601
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(b) No state or county political party shall make a contribution or an expenditure from its restricted fund. 1604
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(3) (a) No corporation or labor organization shall make a gift or gifts from the corporation's or labor organization's money or property aggregating more than ten thousand dollars to any one state or county political party for the party's restricted fund in a calendar year. 1606
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(b) No state or county political party shall accept a gift or gifts for the party's restricted fund aggregating more than 1611
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ten thousand dollars from any one corporation or labor organization in a calendar year.	1613 1614
(4) No state or county political party shall transfer any moneys in the party's restricted fund to any other state or county political party.	1615 1616 1617
(5) No state or county political party shall knowingly fail to file a statement required under section 3517.1012 of the Revised Code.	1618 1619 1620
(Y) The administrator of workers' compensation and the employees of the bureau of workers' compensation shall not conduct any business with or award any contract, other than one awarded by competitive bidding, for the purchase of goods costing more than five hundred dollars or services costing more than five hundred dollars to any individual, partnership, association, including, without limitation, a professional association organized under Chapter 1785. of the Revised Code, estate, or trust, if the individual has made, or the individual's spouse has made, or any partner, shareholder, administrator, executor, or trustee, or the spouses of any of those individuals has made, as an individual, within the two previous calendar years, one or more contributions totaling in excess of one thousand dollars to the campaign committee of the governor or lieutenant governor or to the campaign committee of any candidate for the office of governor or lieutenant governor.	1621 1622 1623 1624 1625 1626 1627 1628 1629 1630 1631 1632 1633 1634 1635 1636
(Z) The administrator of workers' compensation and the employees of the bureau of workers' compensation shall not conduct business with or award any contract, other than one awarded by competitive bidding, for the purchase of goods costing more than five hundred dollars or services costing more than five hundred dollars to a corporation or business trust,	1637 1638 1639 1640 1641 1642

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except a professional association organized under Chapter 1785. 1643
of the Revised Code, if an owner of more than twenty per cent of 1644
the corporation or business trust, or the spouse of the owner, 1645
has made, as an individual, within the two previous calendar 1646
years, taking into consideration only owners for all of such 1647
period, one or more contributions totaling in excess of one 1648
thousand dollars to the campaign committee of the governor or 1649
lieutenant governor or to the campaign committee of any 1650
candidate for the office of governor or lieutenant governor. 1651

Sec. 3517.155. (A) (1) Except as otherwise provided in 1652
division (B) of this section, the Ohio elections commission 1653
shall hold its first hearing on a complaint filed with it, other 1654
than a complaint that receives an expedited hearing under 1655
section 3517.156 of the Revised Code, not later than ninety 1656
business days after the complaint is filed unless the commission 1657
has good cause to hold the hearing after that time, in which 1658
case it shall hold the hearing not later than one hundred eighty 1659
business days after the complaint is filed. At the hearing, the 1660
commission shall determine whether or not the failure to act or 1661
the violation alleged in the complaint has occurred and shall do 1662
only one of the following, except as otherwise provided in 1663

division (B) of

 this section or in division (B) of section 1664
3517.151 of the Revised Code: 1665

(a) Enter a finding that good cause has been shown not to 1666
impose a fine or not to refer the matter to the appropriate 1667
prosecutor; 1668

(b) Impose a fine under section 3517.993 of the Revised 1669
Code; 1670

(c) Refer the matter to the appropriate prosecutor.+ 1671

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<p>(2) As used in division (A) of this section, "appropriate prosecutor" means a prosecutor as defined in section 2935.01 of the Revised Code and either of the following:</p> <p style="margin-left: 2em;">(a) In the case of a failure to comply with or a violation of law involving a campaign committee or the committee's candidate, a political party, a legislative campaign fund, a political action committee, or a political contributing entity, that is required to file a statement of contributions and expenditures with the secretary of state under division (A) of section 3517.11 of the Revised Code, the prosecutor of Franklin county;</p> <p style="margin-left: 2em;">(b) In the case of a failure to comply with or a violation of law involving any other campaign committee or committee's candidate, or any other political party, political action committee, or political contributing entity either of the following as determined by the commission:</p> <p style="margin-left: 3em;">(i) The prosecutor of Franklin county;</p> <p style="margin-left: 3em;">(ii) The prosecutor of the county in which the candidacy or ballot question or issue is submitted to the electors or, if it is submitted in more than one county, the most populous of those counties.</p> <p style="margin-left: 2em;">(B) If the commission decides that the evidence is insufficient for it to determine whether or not the failure to act or the violation alleged in the complaint has occurred, the commission, by the affirmative vote of five members, may request that an investigatory attorney investigate the complaint. Upon that request, an investigatory attorney shall make an investigation in order to produce sufficient evidence for the commission to decide the matter. If the commission requests an</p>	<p>1672 1673 1674 1675 1676 1677 1678 1679 1680 1681 1682 1683 1684 1685 1686 1687 1688 1689 1690 1691 1692 1693 1694 1695 1696 1697 1698 1699 1700</p>
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investigation under this division, for good cause shown by the
 investigatory attorney, the commission may extend by sixty days
 the deadline for holding its first hearing on the complaint as
 required in division (A) of this section.

(C) The commission shall take one of the actions required
 under division (A) of this section not later than thirty days
 after the close of all the evidence presented.

(D) (1) The commission shall make any finding of a failure
 to comply with or a violation of law in regard to a complaint
 that alleges a violation of division (A) or (B) of section
 3517.21, or division (A) or (B) of section 3517.22 of the
 Revised Code by clear and convincing evidence. The commission
 shall make any finding of a failure to comply with or a
 violation of law in regard to any other complaint by a
 preponderance of the evidence.

(2) If the commission finds a violation of division (B) of
 section 3517.21 or division (B) of section 3517.22 of the
 Revised Code, it shall refer the matter to the appropriate
 prosecutor under division (A)(1)(c) of this section and shall
 not impose a fine under division (A)(1)(b) of this section or
 section 3517.993 of the Revised Code.

(3) (a) If the commission finds a violation of division (W)
of section 3517.13 of the Revised Code, it shall do one of the
following:

(i) Impose a fine under section 3517.993 of the Revised
Code in an amount equal to three times the amount involved in
the violation or ten thousand dollars, whichever amount is
greater, with none of the fine suspended and, in the case of a
violation of division (W) (2) of section 3517.13 of the Revised

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<u>Code, order the violator to return an amount equal to any amount accepted in violation of that division to the foreign national from whom it was accepted;</u>	1730 1731 1732
<u>(ii) Refer the matter to the appropriate prosecutor or to the attorney general.</u>	1733 1734
<u>(b) If the commission finds a violation of division (W) of section 3517.13 of the Revised Code and refers the matter for prosecution, the attorney general may prosecute the violation with all the rights, privileges, and powers conferred by law on prosecuting attorneys, including the power to appear before grand juries and to interrogate witnesses before such grand juries, under any of the following circumstances:</u>	1735 1736 1737 1738 1739 1740 1741
<u>(i) Upon the commission's referral of the matter to the attorney general;</u>	1742 1743
<u>(ii) Upon the request of the prosecutor to whom the commission refers the matter;</u>	1744 1745
<u>(iii) Upon the attorney general's own initiative.</u>	1746
<u>These powers of the attorney general are in addition to any other applicable powers of the attorney general.</u>	1747 1748
<u>(E) In an action before the commission or a panel of the commission, if the allegations of the complainant are not proved, and the commission takes the action described in division (A) (1) (a) of this section or a panel of the commission takes the action described in division (C) (1) of section 3517.156 of the Revised Code, the commission or a panel of the commission may find that the complaint is frivolous, and, if the commission or panel so finds, the commission shall order the complainant to pay reasonable attorney's fees and to pay the costs of the commission or panel as determined by a majority of</u>	1749 1750 1751 1752 1753 1754 1755 1756 1757 1758

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the members of the commission. The costs paid to the commission 1759
 or panel under this division shall be deposited into the Ohio 1760
 elections commission fund. 1761

Sec. 3517.992. This section establishes penalties only 1762
 with respect to acts or failures to act that occur on and after 1763
 August 24, 1995. 1764

(A) (1) A candidate whose campaign committee violates 1765
 division (A), (B), (C), (D), or (V) of section 3517.13 of the 1766
 Revised Code, or a treasurer of a campaign committee who 1767
 violates any of those divisions, shall be fined not more than 1768
 one hundred dollars for each day of violation. 1769

(2) Whoever violates division (E) or (X)(5) of section 1770
 3517.13 or division (E)(1) of section 3517.1014 of the Revised 1771
 Code shall be fined not more than one hundred dollars for each 1772
 day of violation. 1773

(B) An entity that violates division (G)(1) of section 1774
 3517.101 of the Revised Code shall be fined not more than one 1775
 hundred dollars for each day of violation. 1776

(C) Whoever violates division (G)(2) of section 3517.101, 1777
 division (G) of section 3517.13, or division (E)(2) or (3) of 1778
 section 3517.1014 of the Revised Code shall be fined not more 1779
 than ten thousand dollars or, if the offender is a person who 1780
 was nominated or elected to public office, shall forfeit the 1781
 nomination or the office to which the offender was elected, or 1782
 both. 1783

(D) Whoever violates division (F) of section 3517.13 of 1784
 the Revised Code shall be fined not more than three times the 1785
 amount contributed. 1786

(E) Whoever violates division (H) of section 3517.13 of 1787

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the Revised Code shall be fined not more than one hundred	1788
dollars.	1789
(F) Whoever violates division (O), (P), or (Q) of section	1790
3517.13 of the Revised Code is guilty of a misdemeanor of the	1791
first degree.	1792
(G) A state or county committee of a political party that	1793
violates division (B)(1) of section 3517.18 of the Revised Code	1794
as that section existed before its repeal by H.B. 166 of the	1795
133rd general assembly shall be fined not more than twice the	1796
amount of the improper expenditure.	1797
(H) An entity that violates division (H) of section	1798
3517.101 of the Revised Code shall be fined not more than twice	1799
the amount of the improper expenditure or use.	1800
(I) (1) Any individual who violates division (B)(1) of	1801
section 3517.102 of the Revised Code and knows that the	1802
contribution the individual makes violates that division shall	1803
be fined an amount equal to three times the amount contributed	1804
in excess of the amount permitted by that division.	1805
(2) Any political action committee that violates division	1806
(B)(2) of section 3517.102 of the Revised Code shall be fined an	1807
amount equal to three times the amount contributed in excess of	1808
the amount permitted by that division.	1809
(3) Any campaign committee that violates division (B)(3)	1810
or (5) of section 3517.102 of the Revised Code shall be fined an	1811
amount equal to three times the amount contributed in excess of	1812
the amount permitted by that division.	1813
(4) (a) Any legislative campaign fund that violates	1814
division (B)(6) of section 3517.102 of the Revised Code shall be	1815
fined an amount equal to three times the amount transferred or	1816

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contributed in excess of the amount permitted by that division, 1817
as applicable. 1818

(b) Any state political party, county political party, or 1819
state candidate fund of a state political party or county 1820
political party that violates division (B)(6) of section 1821
3517.102 of the Revised Code shall be fined an amount equal to 1822
three times the amount transferred or contributed in excess of 1823
the amount permitted by that division, as applicable. 1824

(c) Any political contributing entity that violates 1825
division (B)(7) of section 3517.102 of the Revised Code shall be 1826
fined an amount equal to three times the amount contributed in 1827
excess of the amount permitted by that division. 1828

(5) Any political party that violates division (B)(4) of 1829
section 3517.102 of the Revised Code shall be fined an amount 1830
equal to three times the amount contributed in excess of the 1831
amount permitted by that division. 1832

(6) Notwithstanding divisions (I)(1), (2), (3), (4), and 1833
(5) of this section, no violation of division (B) of section 1834
3517.102 of the Revised Code occurs, and the secretary of state 1835
shall not refer parties to the Ohio elections commission, if the 1836
amount transferred or contributed in excess of the amount 1837
permitted by that division meets either of the following 1838
conditions: 1839

(a) It is completely refunded within five business days 1840
after it is accepted. 1841

(b) It is completely refunded on or before the tenth 1842
business day after notification to the recipient of the excess 1843
transfer or contribution by the board of elections or the 1844
secretary of state that a transfer or contribution in excess of 1845

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the permitted amount has been received.	1846
(J) (1) Any campaign committee that violates division (C) (1), (2), (3), or (6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	1847 1848 1849 1850
(2) (a) Any county political party that violates division (C) (4) (a) (ii) or (iii) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted.	1851 1852 1853 1854
(b) Any county political party that violates division (C) (4) (a) (i) of section 3517.102 of the Revised Code shall be fined an amount from its state candidate fund equal to three times the amount accepted in excess of the amount permitted by that division.	1855 1856 1857 1858 1859
(c) Any state political party that violates division (C) (4) (b) of section 3517.102 of the Revised Code shall be fined an amount from its state candidate fund equal to three times the amount accepted in excess of the amount permitted by that division.	1860 1861 1862 1863 1864
(3) Any legislative campaign fund that violates division (C) (5) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	1865 1866 1867 1868
(4) Any political action committee or political contributing entity that violates division (C) (7) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	1869 1870 1871 1872 1873
(5) Notwithstanding divisions (J) (1), (2), (3), and (4) of	1874

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this section, no violation of division (C) of section 3517.102	1875
of the Revised Code occurs, and the secretary of state shall not	1876
refer parties to the Ohio elections commission, if the amount	1877
transferred or contributed in excess of the amount permitted to	1878
be accepted by that division meets either of the following	1879
conditions:	1880
(a) It is completely refunded within five business days	1881
after its acceptance.	1882
(b) It is completely refunded on or before the tenth	1883
business day after notification to the recipient of the excess	1884
transfer or contribution by the board of elections or the	1885
secretary of state that a transfer or contribution in excess of	1886
the permitted amount has been received.	1887
(K) (1) Any legislative campaign fund that violates	1888
division (F) (1) of section 3517.102 of the Revised Code shall be	1889
fined twenty-five dollars for each day of violation.	1890
(2) Any legislative campaign fund that violates division	1891
(F) (2) of section 3517.102 of the Revised Code shall give to the	1892
treasurer of state for deposit into the state treasury to the	1893
credit of the Ohio elections commission fund all excess	1894
contributions not disposed of as required by division (E) of	1895
section 3517.102 of the Revised Code.	1896
(L) Whoever violates section 3517.105 of the Revised Code	1897
shall be fined one thousand dollars.	1898
(M) (1) Whoever solicits a contribution in violation of	1899
section 3517.092 or violates division (B) of section 3517.09 of	1900
the Revised Code is guilty of a misdemeanor of the first degree.	1901
(2) Whoever knowingly accepts a contribution in violation	1902
of division (B) or (C) of section 3517.092 of the Revised Code	1903

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<p>shall be fined an amount equal to three times the amount accepted in violation of either of those divisions and shall return to the contributor any amount so accepted. Whoever unknowingly accepts a contribution in violation of division (B) or (C) of section 3517.092 of the Revised Code shall return to the contributor any amount so accepted.</p> <p>(N) Whoever violates division (S) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount of funds transferred or three times the value of the assets transferred in violation of that division.</p> <p>(O) Any campaign committee that accepts a contribution or contributions in violation of section 3517.108 of the Revised Code, uses a contribution in violation of that section, or fails to dispose of excess contributions in violation of that section shall be fined an amount equal to three times the amount accepted, used, or kept in violation of that section.</p> <p>(P) Any political party, state candidate fund, legislative candidate fund, or campaign committee that violates division (T) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount contributed or accepted in violation of that section.</p> <p>(Q) A treasurer of a committee or another person who violates division (U) of section 3517.13 of the Revised Code shall be fined not more than two hundred fifty dollars.</p> <p>(R) Whoever violates division (I) or (J) of section 3517.13 of the Revised Code shall be fined not more than one thousand dollars. Whenever a person is found guilty of violating division (I) or (J) of section 3517.13 of the Revised Code, the contract awarded in violation of either of those divisions shall</p>	<p>1904 1905 1906 1907 1908 1909 1910 1911 1912 1913 1914 1915 1916 1917 1918 1919 1920 1921 1922 1923 1924 1925 1926 1927 1928 1929 1930 1931 1932</p>
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be rescinded if its terms have not yet been performed.	1933
(S) A candidate whose campaign committee violates or a treasurer of a campaign committee who violates section 3517.081 of the Revised Code, and a candidate whose campaign committee violates or a treasurer of a campaign committee or another person who violates division (C) of section 3517.10 of the Revised Code, shall be fined not more than five hundred dollars.	1934 1935 1936 1937 1938 1939
(T) A candidate whose campaign committee violates or a treasurer of a committee who violates division (B) of section 3517.09 of the Revised Code, or a candidate whose campaign committee violates or a treasurer of a campaign committee or another person who violates division (C) of section 3517.09 of the Revised Code shall be fined not more than one thousand dollars.	1940 1941 1942 1943 1944 1945 1946
(U) Whoever violates section 3517.20 of the Revised Code shall be fined not more than five hundred dollars.	1947 1948
(V) Whoever violates section 3517.21 or 3517.22 of the Revised Code shall be imprisoned for not more than six months or fined not more than five thousand dollars, or both.	1949 1950 1951
(W) A campaign committee that is required to file a declaration of no limits under division (D)(2) of section 3517.103 of the Revised Code that, before filing that declaration, accepts a contribution or contributions that exceed the limitations prescribed in section 3517.102 of the Revised Code, shall return that contribution or those contributions to the contributor.	1952 1953 1954 1955 1956 1957 1958
(X) Any campaign committee that fails to file the declaration of filing-day finances required by division (F) of section 3517.109 of the Revised Code shall be fined twenty-five	1959 1960 1961

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dollars for each day of violation.	1962
(Y) (1) Any campaign committee that fails to dispose of excess funds or excess aggregate contributions under division (B) of section 3517.109 of the Revised Code in the manner required by division (C) of that section shall give to the treasurer of state for deposit into the Ohio elections commission fund created under division (I) of section 3517.152 of the Revised Code all funds not disposed of pursuant to that division.	1963 1964 1965 1966 1967 1968 1969 1970
(2) Any treasurer of a transition fund that fails to dispose of assets remaining in the transition fund as required under division (H)(1) or (2) of section 3517.1014 of the Revised Code shall give to the treasurer of state for deposit into the Ohio elections commission fund all assets not disposed of pursuant to that division.	1971 1972 1973 1974 1975 1976
(Z) Any individual, campaign committee, political action committee, political contributing entity, legislative campaign fund, political party, treasurer of a transition fund, or other entity that violates any provision of sections 3517.09 to 3517.12 of the Revised Code for which no penalty is provided for under any other division of this section shall be fined not more than one thousand dollars.	1977 1978 1979 1980 1981 1982 1983
(AA) (1) Whoever knowingly violates division (W)(1) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount contributed, expended, or promised in violation of that division or ten thousand dollars, whichever amount is greater.	1984 1985 1986 1987 1988
(2) Whoever knowingly violates division (W)(2) of section 3517.13 of the Revised Code shall be fined an amount equal to	1989 1990

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three times the amount solicited or accepted in violation of
 that division or ten thousand dollars, whichever amount is
greater, and shall be required to return an amount equal to any
amount accepted in violation of that division to the foreign
national from whom it was accepted.

(BB) Whoever knowingly violates division (C) or (D) of
 section 3517.1011 of the Revised Code shall be fined not more
 than ten thousand dollars plus not more than one thousand
 dollars for each day of violation.

(CC) (1) Subject to division (CC) (2) of this section,
 whoever violates division (H) of section 3517.1011 of the
 Revised Code shall be fined an amount up to three times the
 amount disbursed for the direct costs of airing the
 communication made in violation of that division.

(2) Whoever has been ordered by the Ohio elections
 commission or by a court of competent jurisdiction to cease
 making communications in violation of division (H) of section
 3517.1011 of the Revised Code who again violates that division
 shall be fined an amount equal to three times the amount
 disbursed for the direct costs of airing the communication made
 in violation of that division.

(DD) (1) Any corporation or labor organization that
 violates division (X) (3) (a) of section 3517.13 of the Revised
 Code shall be fined an amount equal to three times the amount
 given in excess of the amount permitted by that division.

(2) Any state or county political party that violates
 division (X) (3) (b) of section 3517.13 of the Revised Code shall
 be fined an amount equal to three times the amount accepted in
 excess of the amount permitted by that division.

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(EE) (1) Any campaign committee or person who violates division (C) (1) (b) or (c) of section 3517.1014 of the Revised Code shall be fined an amount equal to three times the amount donated in excess of the amount permitted by that division.	2020 2021 2022 2023
(2) Any officeholder or treasurer of a transition fund who violates division (C) (3) (a) or (b) of section 3517.1014 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	2024 2025 2026 2027 2028
Section 2. That existing sections 3517.01, 3517.10, 3517.12, 3517.13, 3517.155, and 3517.992 of the Revised Code are hereby repealed.	2029 2030 2031

Exhibit C

As Passed by the Senate

135th General Assembly

Regular Session

Sub. H. B. No. 114

2023-2024

Representatives Humphrey, Seitz

Cosponsors: Representatives Brennan, Williams, Miranda, Blackshear, Brent, Upchurch, McNally, Schmidt, Rogers, Weinstein, Isaacsohn, Brown, Mohamed, Abdullahi, Baker, Brewer, Denson, Dobos, Forhan, Galonski, Grim, Jarrells, Lightbody, Liston, Mathews, Miller, A., Thomas, C.

Senators Brenner, Cirino, Huffman, S., Johnson, O'Brien, Wilkin

A BILL

To amend sections 3517.01, 3517.10, 3517.12, 1
3517.13, 3517.155, and 3517.992 of the Revised 2
Code to modify the Campaign Finance Law and to 3
delay the deadline for a major political party 4
to certify its presidential and vice 5
presidential candidates to the Secretary of 6
State for the 2024 general election. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3517.01, 3517.10, 3517.12, 8
3517.13, 3517.155, and 3517.992 of the Revised Code be amended 9
to read as follows: 10

Sec. 3517.01. (A) (1) A political party within the meaning 11
of Title XXXV of the Revised Code is any group of voters that 12
meets either of the following requirements: 13

(a) Except as otherwise provided in this division, at the 14
most recent regular state election, the group polled for its 15

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candidate for governor in the state or nominees for presidential electors at least three per cent of the entire vote cast for that office. A group that meets the requirements of this division remains a political party for a period of four years after meeting those requirements.	16 17 18 19 20
(b) The group filed with the secretary of state, subsequent to its failure to meet the requirements of division (A) (1) (a) of this section, a party formation petition that meets all of the following requirements:	21 22 23 24
(i) The petition is signed by qualified electors equal in number to at least one per cent of the total vote for governor or nominees for presidential electors at the most recent election for such office.	25 26 27 28
(ii) The petition is signed by not fewer than five hundred qualified electors from each of at least a minimum of one-half of the congressional districts in this state. If an odd number of congressional districts exists in this state, the number of districts that results from dividing the number of congressional districts by two shall be rounded up to the next whole number.	29 30 31 32 33 34
(iii) The petition declares the petitioners' intention of organizing a political party, the name of which shall be stated in the declaration, and of participating in the succeeding general election, held in even-numbered years, that occurs more than one hundred twenty-five days after the date of filing.	35 36 37 38 39
(iv) The petition designates a committee of not less than three nor more than five individuals of the petitioners, who shall represent the petitioners in all matters relating to the petition. Notice of all matters or proceedings pertaining to the petition may be served on the committee, or any of them, either	40 41 42 43 44

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personally or by registered mail, or by leaving such notice at	45
the usual place of residence of each of them.	46

(2) No such group of electors shall assume a name or	47
designation that is similar, in the opinion of the secretary of	48
state, to that of an existing political party as to confuse or	49
mislead the voters at an election.	50

(B) A campaign committee shall be legally liable for any	51
debts, contracts, or expenditures incurred or executed in its	52
name.	53

(C) Notwithstanding the definitions found in section	54
3501.01 of the Revised Code, as used in this section and	55
sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the	56
Revised Code:	57

(1) "Campaign committee" means a candidate or a	58
combination of two or more persons authorized by a candidate	59
under section 3517.081 of the Revised Code to receive	60
contributions and make expenditures.	61

(2) "Campaign treasurer" means an individual appointed by	62
a candidate under section 3517.081 of the Revised Code.	63

(3) "Candidate" has the same meaning as in division (H) of	64
section 3501.01 of the Revised Code and also includes any person	65
who, at any time before or after an election, receives	66
contributions or makes expenditures or other use of	67
contributions, has given consent for another to receive	68
contributions or make expenditures or other use of	69
contributions, or appoints a campaign treasurer, for the purpose	70
of bringing about the person's nomination or election to public	71
office. When two persons jointly seek the offices of governor	72
and lieutenant governor, "candidate" means the pair of	73

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candidates jointly. "Candidate" does not include candidates for election to the offices of member of a county or state central committee, presidential elector, and delegate to a national convention or conference of a political party.	74 75 76 77
(4) "Continuing association" means an association, other than a campaign committee, political party, legislative campaign fund, political contributing entity, or labor organization, that is intended to be a permanent organization that has a primary purpose other than supporting or opposing specific candidates, political parties, or ballot issues, and that functions on a regular basis throughout the year. "Continuing association" includes organizations that are determined to be not organized for profit under subsection 501 and that are described in subsection 501(c) (3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code.	78 79 80 81 82 83 84 85 86 87 88
(5) "Contribution" means a loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any person other than the person to whom the services are rendered for the personal services of another person, which contribution is made, received, or used for the purpose of influencing the results of an election. Any loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or of anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any campaign committee, political action committee, legislative campaign fund, political party, political contributing entity, or person other than the person to whom the services are rendered for the personal services of another person, that is	89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104

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made, received, or used by a state or county political party,	105
other than the moneys an entity may receive under sections	106
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be	107
considered to be a "contribution" for the purpose of section	108
3517.10 of the Revised Code and shall be included on a statement	109
of contributions filed under that section.	110
 "Contribution" does not include any of the following:	
(a) Services provided without compensation by individuals	112
volunteering a portion or all of their time on behalf of a	113
person;	114
(b) Ordinary home hospitality;	115
(c) The personal expenses of a volunteer paid for by that	116
volunteer campaign worker;	117
(d) Any gift given to an entity pursuant to section	118
3517.101 of the Revised Code;	119
(e) Any contribution as defined in section 3517.1011 of	120
the Revised Code that is made, received, or used to pay the	121
direct costs of producing or airing an electioneering	122
communication;	123
(f) Any gift given to a state or county political party	124
for the party's restricted fund under division (A) (2) of section	125
3517.1012 of the Revised Code;	126
(g) Any gift given to a state political party for deposit	127
in a Levin account pursuant to section 3517.1013 of the Revised	128
Code. As used in this division, "Levin account" has the same	129
meaning as in that section.	130
(h) Any donation given to a transition fund under section	131
3517.1014 of the Revised Code.	132

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(6) "Expenditure" means the disbursement or use of a contribution or other funds for the purpose of influencing the results of an election or of making a charitable donation under division (G) of section 3517.08 of the Revised Code. Any disbursement or use of a contribution by a state or county political party is an expenditure and shall be considered either to be made for the purpose of influencing the results of an election or to be made as a charitable donation under division (G) of section 3517.08 of the Revised Code and shall be reported on a statement of expenditures filed under section 3517.10 of the Revised Code. During the thirty days preceding a primary or general election, any disbursement to pay the direct costs of producing or airing a broadcast, cable, or satellite communication that refers to a clearly identified candidate shall be considered to be made for the purpose of influencing the results of that election and shall be reported as an expenditure or as an independent expenditure under section 3517.10 or 3517.105 of the Revised Code, as applicable, except that the information required to be reported regarding contributors for those expenditures or independent expenditures shall be the same as the information required to be reported under divisions (D)(1) and (2) of section 3517.1011 of the Revised Code.

As used in this division, "broadcast, cable, or satellite communication" and "refers to a clearly identified candidate" have the same meanings as in section 3517.1011 of the Revised Code.

(7) "Personal expenses" includes, but is not limited to, ordinary expenses for accommodations, clothing, food, personal motor vehicle or airplane, and home telephone.

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(8) "Political action committee" means a combination of	163
two or more persons, the primary or major purpose of which is to	164
support or oppose any candidate, political party, or issue, or	165
to influence the result of any election through express	166
advocacy, and that is not a political party, a campaign	167
committee, a political contributing entity, or a legislative	168
campaign fund. "Political action committee" does not include	169
either of the following:	170
(a) A continuing association that makes disbursements for	171
the direct costs of producing or airing electioneering	172
communications and that does not engage in express advocacy;	173
(b) A political club that is formed primarily for social	174
purposes and that consists of one hundred members or less, has	175
officers and periodic meetings, has less than two thousand five	176
hundred dollars in its treasury at all times, and makes an	177
aggregate total contribution of one thousand dollars or less per	178
calendar year.	179
(9) "Public office" means any state, county, municipal,	180
township, or district office, except an office of a political	181
party, that is filled by an election and the offices of United	182
States senator and representative.	183
(10) "Anything of value" has the same meaning as in	184
section 1.03 of the Revised Code.	185
(11) "Beneficiary of a campaign fund" means a candidate, a	186
public official or employee for whose benefit a campaign fund	187
exists, and any other person who has ever been a candidate or	188
public official or employee and for whose benefit a campaign	189
fund exists.	190
(12) "Campaign fund" means money or other property,	191

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including contributions. 192

(13) "Public official or employee" has the same meaning as 193
in section 102.01 of the Revised Code. 194

(14) "Caucus" means all of the members of the house of 195
representatives or all of the members of the senate of the 196
general assembly who are members of the same political party. 197

(15) "Legislative campaign fund" means a fund that is 198
established as an auxiliary of a state political party and 199
associated with one of the houses of the general assembly. 200

(16) "In-kind contribution" means anything of value other 201
than money that is used to influence the results of an election 202
or is transferred to or used in support of or in opposition to a 203
candidate, campaign committee, legislative campaign fund, 204
political party, political action committee, or political 205
contributing entity and that is made with the consent of, in 206
coordination, cooperation, or consultation with, or at the 207
request or suggestion of the benefited candidate, committee, 208
fund, party, or entity. The financing of the dissemination, 209
distribution, or republication, in whole or part, of any 210
broadcast or of any written, graphic, or other form of campaign 211
materials prepared by the candidate, the candidate's campaign 212
committee, or their authorized agents is an in-kind contribution 213
to the candidate and an expenditure by the candidate. 214

(17) (17) (a) "Independent expenditure" means an either of 215
the following: 216

(i) An expenditure by a person advocating the election or 217
defeat of an identified candidate or candidates, that is not 218
made with the consent of, in coordination, cooperation, or 219
consultation with, or at the request or suggestion of any 220

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candidate or candidates or of the campaign committee or agent of
the candidate or candidates; 221
222

(ii) An expenditure by a person advocating support of or 223
opposition to an identified ballot issue or question or to 224
achieve the successful circulation of an initiative or 225
referendum petition in order to place such an issue or question 226
on the ballot, regardless of whether the ballot issue or 227
question has yet been certified to appear on the ballot. As- 228

(b) As used in division (C)(17)—(C)(17)(a) of this 229
section: 230

(a)—(i) "Person" means an individual, partnership, 231
unincorporated business organization or association, political 232
action committee, political contributing entity, separate 233
segregated fund, association, or other organization or group of 234
persons, but not a labor organization or a corporation unless 235
the labor organization or corporation is a political 236
contributing entity. 237

(b)—(ii) "Advocating" means any communication containing a 238
message advocating election or defeat. 239

(c)—(iii) "Identified candidate" means that the name of 240
the candidate appears, a photograph or drawing of the candidate 241
appears, or the identity of the candidate is otherwise apparent 242
by unambiguous reference. 243

(d)—(iv) "Made in coordination, cooperation, or 244
consultation with, or at the request or suggestion of, any 245
candidate or the campaign committee or agent of the candidate" 246
means made pursuant to any arrangement, coordination, or 247
direction by the candidate, the candidate's campaign committee, 248
or the candidate's agent prior to the publication, distribution, 249

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display, or broadcast of the communication. An expenditure is 250
presumed to be so made when it is any of the following: 251

(i)—(I) Based on information about the candidate's plans, 252
projects, or needs provided to the person making the expenditure 253
by the candidate, or by the candidate's campaign committee or 254
agent, with a view toward having an expenditure made; 255

(ii)—(II) Made by or through any person who is, or has 256
been, authorized to raise or expend funds, who is, or has been, 257
an officer of the candidate's campaign committee, or who is, or 258
has been, receiving any form of compensation or reimbursement 259
from the candidate or the candidate's campaign committee or 260
agent; 261

(iii)—(III) Except as otherwise provided in division (D) 262
of section 3517.105 of the Revised Code, made by a political 263
party in support of a candidate, unless the expenditure is made 264
by a political party to conduct voter registration or voter 265
education efforts. 266

(e)—(v) "Agent" means any person who has actual oral or 267
written authority, either express or implied, to make or to 268
authorize the making of expenditures on behalf of a candidate, 269
or means any person who has been placed in a position with the 270
candidate's campaign committee or organization such that it 271
would reasonably appear that in the ordinary course of campaign- 272
related activities the person may authorize expenditures. 273

(18) "Labor organization" means a labor union; an employee 274
organization; a federation of labor unions, groups, locals, or 275
other employee organizations; an auxiliary of a labor union, 276
employee organization, or federation of labor unions, groups, 277
locals, or other employee organizations; or any other bona fide 278

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organization in which employees participate and that exists for	279
the purpose, in whole or in part, of dealing with employers	280
concerning grievances, labor disputes, wages, hours, and other	281
terms and conditions of employment.	282
(19) "Separate segregated fund" means a separate	283
segregated fund established pursuant to the Federal Election	284
Campaign Act.	285
(20) "Federal Election Campaign Act" means the "Federal	286
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et	287
seq., as amended.	288
(21) "Restricted fund" means the fund a state or county	289
political party must establish under division (A) (1) of section	290
3517.1012 of the Revised Code.	291
(22) "Electioneering communication" has the same meaning	292
as in section 3517.1011 of the Revised Code.	293
(23) "Express advocacy" means a communication that	294
contains express words advocating the nomination, election, or	295
defeat of a candidate or that contains express words advocating	296
the adoption or defeat of a question or issue, as determined by	297
a final judgment of a court of competent jurisdiction.	298
(24) "Political committee" has the same meaning as in	299
section 3517.1011 of the Revised Code.	300
(25) "Political contributing entity" means any entity,	301
including a corporation or labor organization, that may lawfully	302
make contributions and expenditures and that is not an	303
individual or a political action committee, continuing	304
association, campaign committee, political party, legislative	305
campaign fund, designated state campaign committee, or state	306
candidate fund. For purposes of this division, "lawfully" means	307

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not prohibited by any section of the Revised Code, or authorized 308
by a final judgment of a court of competent jurisdiction. 309

(26) "Internet identifier of record" has the same meaning 310
as in section 9.312 of the Revised Code. 311

Sec. 3517.10. (A) Except as otherwise provided in this 312
division, every campaign committee, political action committee, 313
legislative campaign fund, political party, and political 314
contributing entity that made or received a contribution or made 315
an expenditure in connection with the nomination or election of 316
any candidate or in connection with any ballot issue or question 317
at any election held or to be held in this state shall file, on 318
a form prescribed under this section or by electronic means of 319
transmission as provided in this section and section 3517.106 of 320
the Revised Code, a full, true, and itemized statement, made 321
under penalty of election falsification, setting forth in detail 322
the contributions and expenditures, not later than four p.m. of 323
the following dates: 324

(1) The twelfth day before the election to reflect 325
contributions received and expenditures made from the close of 326
business on the last day reflected in the last previously filed 327
statement, if any, to the close of business on the twentieth day 328
before the election; 329

(2) The thirty-eighth day after the election to reflect 330
the contributions received and expenditures made from the close 331
of business on the last day reflected in the last previously 332
filed statement, if any, to the close of business on the seventh 333
day before the filing of the statement; 334

(3) The last business day of January of every year to 335
reflect the contributions received and expenditures made from 336

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the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of December of the previous year;	337 338 339
(4) The last business day of July of every year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of June of that year.	340 341 342 343 344
A campaign committee shall only be required to file the statements prescribed under divisions (A)(1) and (2) of this section in connection with the nomination or election of the committee's candidate.	345 346 347 348
The statement required under division (A)(1) of this section shall not be required of any campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity that has received contributions of less than one thousand dollars and has made expenditures of less than one thousand dollars at the close of business on the twentieth day before the election. Those contributions and expenditures shall be reported in the statement required under division (A)(2) of this section.	349 350 351 352 353 354 355 356 357
If an election to select candidates to appear on the general election ballot is held within sixty days before a general election, the campaign committee of a successful candidate in the earlier election may file the statement required by division (A)(1) of this section for the general election instead of the statement required by division (A)(2) of this section for the earlier election if the pregeneral election statement reflects the status of contributions and expenditures for the period twenty days before the earlier election to twenty	358 359 360 361 362 363 364 365 366

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days before the general election. 367

If a person becomes a candidate less than twenty days 368
before an election, the candidate's campaign committee is not 369
required to file the statement required by division (A)(1) of 370
this section. 371

No statement under division (A)(3) of this section shall 372
be required for any year in which a campaign committee, 373
political action committee, legislative campaign fund, political 374
party, or political contributing entity is required to file a 375
postgeneral election statement under division (A)(2) of this 376
section. However, a statement under division (A)(3) of this 377
section may be filed, at the option of the campaign committee, 378
political action committee, legislative campaign fund, political 379
party, or political contributing entity. 380

No campaign committee of a candidate for the office of 381
chief justice or justice of the supreme court, and no campaign 382
committee of a candidate for the office of judge of any court in 383
this state, shall be required to file a statement under division 384
(A)(4) of this section. 385

Except as otherwise provided in this paragraph and in the 386
next paragraph of this section, the only campaign committees 387
required to file a statement under division (A)(4) of this 388
section are the campaign committee of a statewide candidate and 389
the campaign committee of a candidate for county office. The 390
campaign committee of a candidate for any other nonjudicial 391
office is required to file a statement under division (A)(4) of 392
this section if that campaign committee receives, during that 393
period, contributions exceeding ten thousand dollars. 394

No statement under division (A)(4) of this section shall 395

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be required of a campaign committee, a political action 396
 committee, a legislative campaign fund, a political party, or a 397
 political contributing entity for any year in which the campaign 398
 committee, political action committee, legislative campaign 399
 fund, political party, or political contributing entity is 400
 required to file a postprimary election statement under division 401
 (A) (2) of this section. However, a statement under division (A) 402
 (4) of this section may be filed at the option of the campaign 403
 committee, political action committee, legislative campaign 404
 fund, political party, or political contributing entity. 405

No statement under division (A) (3) or (4) of this section 406
 shall be required if the campaign committee, political action 407
 committee, legislative campaign fund, political party, or 408
 political contributing entity has no contributions that it has 409
 received and no expenditures that it has made since the last 410
 date reflected in its last previously filed statement. However, 411
 the campaign committee, political action committee, legislative 412
 campaign fund, political party, or political contributing entity 413
 shall file a statement to that effect, on a form prescribed 414
 under this section and made under penalty of election 415
 falsification, on the date required in division (A) (3) or (4) of 416
 this section, as applicable. 417

The campaign committee of a statewide candidate shall file 418
 a monthly statement of contributions received during each of the 419
 months of July, August, and September in the year of the general 420
 election in which the candidate seeks office. The campaign 421
 committee of a statewide candidate shall file the monthly 422
 statement not later than three business days after the last day 423
 of the month covered by the statement. During the period 424
 beginning on the nineteenth day before the general election in 425
 which a statewide candidate seeks election to office and 426

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extending through the day of that general election, each time 427
the campaign committee of the joint candidates for the offices 428
of governor and lieutenant governor or of a candidate for the 429
office of secretary of state, auditor of state, treasurer of 430
state, or attorney general receives a contribution from a 431
contributor that causes the aggregate amount of contributions 432
received from that contributor during that period to equal or 433
exceed ten thousand dollars and each time the campaign committee 434
of a candidate for the office of chief justice or justice of the 435
supreme court receives a contribution from a contributor that 436
causes the aggregate amount of contributions received from that 437
contributor during that period to exceed ten thousand dollars, 438
the campaign committee shall file a two-business-day statement 439
reflecting that contribution. Contributions reported on a two- 440
business-day statement required to be filed by a campaign 441
committee of a statewide candidate in a primary election shall 442
also be included in the postprimary election statement required 443
to be filed by that campaign committee under division (A) (2) of 444
this section. A two-business-day statement required by this 445
paragraph shall be filed not later than two business days after 446
receipt of the contribution. The statements required by this 447
paragraph shall be filed in addition to any other statements 448
required by this section. 449

Subject to the secretary of state having implemented, 450
tested, and verified the successful operation of any system the 451
secretary of state prescribes pursuant to divisions (C) (6) (b) 452
and (D) (6) of this section and division (F) (1) of section 453
3517.106 of the Revised Code for the filing of campaign finance 454
statements by electronic means of transmission, a campaign 455
committee of a statewide candidate shall file a two-business-day 456
statement under the preceding paragraph by electronic means of 457

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transmission if the campaign committee is required to file a 458
 pre-election, postelection, or monthly statement of 459
 contributions and expenditures by electronic means of 460
 transmission under this section or section 3517.106 of the 461
 Revised Code. 462

If a campaign committee or political action committee has 463
 no balance on hand and no outstanding obligations and desires to 464
 terminate itself, it shall file a statement to that effect, on a 465
 form prescribed under this section and made under penalty of 466
 election falsification, with the official with whom it files a 467
 statement under division (A) of this section after filing a 468
 final statement of contributions and a final statement of 469
 expenditures, if contributions have been received or 470
 expenditures made since the period reflected in its last 471
 previously filed statement. 472

(B) Except as otherwise provided in division (C) (7) of 473
 this section, each statement required by division (A) of this 474
 section shall contain the following information: 475

(1) The full name and address of each campaign committee, 476
 political action committee, legislative campaign fund, political 477
 party, or political contributing entity, including any treasurer 478
 of the committee, fund, party, or entity, filing a contribution 479
 and expenditure statement; 480

(2) (a) In the case of a campaign committee, the 481
 candidate's full name and address; 482

(b) In the case of a political action committee, the 483
 registration number assigned to the committee under division (D) 484
 (1) of this section. 485

(3) The date of the election and whether it was or will be 486

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a general, primary, or special election;	487
(4) A statement of contributions received, which shall include the following information:	488
(a) The month, day, and year of the contribution;	489
(b) (i) The full name and address of each person, political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity from whom contributions are received and the registration number assigned to the political action committee under division (D) (1) of this section. The requirement of filing the full address does not apply to any statement filed by a state or local committee of a political party, to a finance committee of such committee, or to a committee recognized by a state or local committee as its fund-raising auxiliary. Notwithstanding division (F) of this section, the requirement of filing the full address shall be considered as being met if the address filed is the same address the contributor provided under division (E) (1) of this section.	490
(ii) If a political action committee, political contributing entity, legislative campaign fund, or political party that is required to file campaign finance statements by electronic means of transmission under section 3517.106 of the Revised Code or a campaign committee of a statewide candidate or candidate for the office of member of the general assembly receives a contribution from an individual that exceeds one hundred dollars, the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any;	491
(iii) If a campaign committee of a statewide candidate or candidate for the office of member of the general assembly	492
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receives a contribution transmitted pursuant to section 3599.031 of the Revised Code from amounts deducted from the wages and salaries of two or more employees that exceeds in the aggregate one hundred dollars during any one filing period under division (A) (1), (2), (3), or (4) of this section, the full name of the employees' employer and the full name of the labor organization of which the employees are members, if any.	516 517 518 519 520 521 522
(c) A description of the contribution received, if other than money;	523 524
(d) The value in dollars and cents of the contribution;	525
(e) A separately itemized account of all contributions and expenditures regardless of the amount, except a receipt of a contribution from a person in the sum of twenty-five dollars or less at one social or fund-raising activity and a receipt of a contribution transmitted pursuant to section 3599.031 of the Revised Code from amounts deducted from the wages and salaries of employees if the contribution from the amount deducted from the wages and salary of any one employee is twenty-five dollars or less aggregated in a calendar year. An account of the total contributions from each social or fund-raising activity shall include a description of and the value of each in-kind contribution received at that activity from any person who made one or more such contributions whose aggregate value exceeded two hundred fifty dollars and shall be listed separately, together with the expenses incurred and paid in connection with that activity. A campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity shall keep records of contributions from each person in the amount of twenty-five dollars or less at one social or fund-raising activity and contributions from amounts	526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545

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deducted under section 3599.031 of the Revised Code from the wages and salary of each employee in the amount of twenty-five dollars or less aggregated in a calendar year. No continuing association that is recognized by a state or local committee of a political party as an auxiliary of the party and that makes a contribution from funds derived solely from regular dues paid by members of the auxiliary shall be required to list the name or address of any members who paid those dues.	546 547 548 549 550 551 552 553
Contributions that are other income shall be itemized separately from all other contributions. The information required under division (B) (4) of this section shall be provided for all other income itemized. As used in this paragraph, "other income" means a loan, investment income, or interest income.	554 555 556 557 558
(f) In the case of a campaign committee of a state elected officer, if a person doing business with the state elected officer in the officer's official capacity makes a contribution to the campaign committee of that officer, the information required under division (B) (4) of this section in regard to that contribution, which shall be filed together with and considered a part of the committee's statement of contributions as required under division (A) of this section but shall be filed on a separate form provided by the secretary of state. As used in this division:	559 560 561 562 563 564 565 566 567 568
(i) "State elected officer" has the same meaning as in section 3517.092 of the Revised Code.	569 570
(ii) "Person doing business" means a person or an officer of an entity who enters into one or more contracts with a state elected officer or anyone authorized to enter into contracts on behalf of that officer to receive payments for goods or services, if the payments total, in the aggregate, more than	571 572 573 574 575

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five thousand dollars during a calendar year.

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(5) A statement of expenditures which shall include the
following information:

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(a) The month, day, and year of the expenditure;

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(b) The full name and address of each person, political
party, campaign committee, legislative campaign fund, political
action committee, or political contributing entity to whom the
expenditure was made and the registration number assigned to the
political action committee under division (D) (1) of this
section;

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(c) The object or purpose for which the expenditure was
made;

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(d) The amount of each expenditure.

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(C) (1) The statement of contributions and expenditures
shall be signed by the person completing the form. If a
statement of contributions and expenditures is filed by
electronic means of transmission pursuant to this section or
section 3517.106 of the Revised Code, the electronic signature
of the person who executes the statement and transmits the
statement by electronic means of transmission, as provided in
division (F) of section 3517.106 of the Revised Code, shall be
attached to or associated with the statement and shall be
binding on all persons and for all purposes under the campaign
finance reporting law as if the signature had been handwritten
in ink on a printed form.

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(2) The person filing the statement, under penalty of
election falsification, shall include with it ~~a both of the~~
the following:

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(a) A list of each anonymous contribution, the 604
circumstances under which it was received, and the reason it 605
cannot be attributed to a specific donor; 606

(b) A certification that the campaign committee, political 607
action committee, legislative campaign fund, political party, or 608
political contributing entity, as applicable, has not knowingly 609
accepted any contribution that is prohibited under this chapter 610
or section 3599.03 or 3599.031 of the Revised Code, including 611
under division (W) of section 3517.13 of the Revised Code, 612
during the period covered by the statement. 613

(3) Each statement of a campaign committee of a candidate 614
who holds public office shall contain a designation of each 615
contributor who is an employee in any unit or department under 616
the candidate's direct supervision and control. In a space 617
provided in the statement, the person filing the statement shall 618
affirm that each such contribution was voluntarily made. 619

(4) A campaign committee that did not receive 620
contributions or make expenditures in connection with the 621
nomination or election of its candidate shall file a statement 622
to that effect, on a form prescribed under this section and made 623
under penalty of election falsification, on the date required in 624
division (A) (2) of this section. 625

(5) The campaign committee of any person who attempts to 626
become a candidate and who, for any reason, does not become 627
certified in accordance with Title XXXV of the Revised Code for 628
placement on the official ballot of a primary, general, or 629
special election to be held in this state, and who, at any time 630
prior to or after an election, receives contributions or makes 631
expenditures, or has given consent for another to receive 632
contributions or make expenditures, for the purpose of bringing 633

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about the person's nomination or election to public office,	634
shall file the statement or statements prescribed by this	635
section and a termination statement, if applicable. Division (C)	636
(5) of this section does not apply to any person with respect to	637
an election to the offices of member of a county or state	638
central committee, presidential elector, or delegate to a	639
national convention or conference of a political party.	640
(6) (a) The statements required to be filed under this	641
section shall specify the balance in the hands of the campaign	642
committee, political action committee, legislative campaign	643
fund, political party, or political contributing entity and the	644
disposition intended to be made of that balance.	645
(b) The secretary of state shall prescribe the form for	646
all statements required to be filed under this section and shall	647
furnish the forms to the boards of elections in the several	648
counties. The boards of elections shall supply printed copies of	649
those forms without charge. The secretary of state shall	650
prescribe the appropriate methodology, protocol, and data file	651
structure for statements required or permitted to be filed by	652
electronic means of transmission to the secretary of state or a	653
board of elections under division (A) of this section, division	654
(E) of section 3517.106, division (D) of section 3517.1011,	655
division (B) of section 3517.1012, division (C) of section	656
3517.1013, and divisions (D) and (I) of section 3517.1014 of the	657
Revised Code. Subject to division (A) of this section, division	658
(E) of section 3517.106, division (D) of section 3517.1011,	659
division (B) of section 3517.1012, division (C) of section	660
3517.1013, and divisions (D) and (I) of section 3517.1014 of the	661
Revised Code, the statements required to be stored on computer	662
by the secretary of state under division (B) of section 3517.106	663
of the Revised Code shall be filed in whatever format the	664

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secretary of state considers necessary to enable the secretary 665
of state to store the information contained in the statements on 666
computer. Any such format shall be of a type and nature that is 667
readily available to whoever is required to file the statements 668
in that format. 669

(c) The secretary of state shall assess the need for 670
training regarding the filing of campaign finance statements by 671
electronic means of transmission and regarding associated 672
technologies for candidates, campaign committees, political 673
action committees, legislative campaign funds, political 674
parties, or political contributing entities, for individuals, 675
partnerships, or other entities, for persons making 676
disbursements to pay the direct costs of producing or airing 677
electioneering communications, or for treasurers of transition 678
funds, required or permitted to file statements by electronic 679
means of transmission under this section or section 3517.105, 680
3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the 681
Revised Code. If, in the opinion of the secretary of state, 682
training in these areas is necessary, the secretary of state 683
shall arrange for the provision of voluntary training programs 684
for candidates, campaign committees, political action 685
committees, legislative campaign funds, political parties, or 686
political contributing entities, for individuals, partnerships, 687
and other entities, for persons making disbursements to pay the 688
direct costs of producing or airing electioneering 689
communications, or for treasurers of transition funds, as 690
appropriate. 691

(7) Each monthly statement and each two-business-day 692
statement required by division (A) of this section shall contain 693
the information required by divisions (B) (1) to (4), (C) (2), 694
and, if appropriate, (C) (3) of this section. Each statement 695

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shall be signed as required by division (C) (1) of this section.

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(D) (1) (a) Prior to receiving a contribution or making an expenditure, every campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity shall appoint a treasurer and shall file, on a form prescribed by the secretary of state, a designation of that appointment, including the full name and address of the treasurer and of the campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity. That designation shall be filed with the official with whom the campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity is required to file statements under section 3517.11 of the Revised Code. The name of a campaign committee shall include at least the last name of the campaign committee's candidate. If two or more candidates are the beneficiaries of a single campaign committee under division (B) of section 3517.081 of the Revised Code, the name of the campaign committee shall include at least the last name of each candidate who is a beneficiary of that campaign committee. The secretary of state shall assign a registration number to each political action committee that files a designation of the appointment of a treasurer under this division if the political action committee is required by division (A) (1) of section 3517.11 of the Revised Code to file the statements prescribed by this section with the secretary of state.

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(b) The form of the designation of treasurer shall require the filer to certify, under penalty of election falsification, that the campaign committee, political action committee, legislative campaign fund, political party, or political

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contributing entity, as applicable, has not knowingly accepted, 727
and will not knowingly accept, any contribution that is 728
prohibited under this chapter or section 3599.03 or 3599.031 of 729
the Revised Code, including under division (W) of section 730
3517.13 of the Revised Code. 731

(c) The secretary of state shall not accept for filing a 732
 designation of treasurer of a political action committee or 733
 political contributing entity if, in the opinion of the 734
 secretary of state, the name of the political action committee 735
 or political contributing entity would lead a reasonable person 736
 to believe that the political action committee or political 737
 contributing entity acts on behalf of or represents a county 738
 political party, unless the designation is accompanied by a 739
 written statement, signed by the chairperson of the county 740
 political party's executive committee, granting the political 741
 action committee or political contributing entity permission to 742
 act on behalf of or represent the county political party. 743

(2) The treasurer appointed under division (D)(1) of this 744
 section shall keep a strict account of all contributions, from 745
 whom received and the purpose for which they were disbursed. 746

(3) (a) Except as otherwise provided in section 3517.108 of 747
 the Revised Code, a campaign committee shall deposit all 748
 monetary contributions received by the committee into an account 749
 separate from a personal or business account of the candidate or 750
 campaign committee. 751

(b) A political action committee shall deposit all 752
 monetary contributions received by the committee into an account 753
 separate from all other funds. 754

(c) A state or county political party may establish a 755

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state candidate fund that is separate from all other funds. A 756
 state or county political party may deposit into its state 757
 candidate fund any amounts of monetary contributions that are 758
 made to or accepted by the political party subject to the 759
 applicable limitations, if any, prescribed in section 3517.102 760
 of the Revised Code. A state or county political party shall 761
 deposit all other monetary contributions received by the party 762
 into one or more accounts that are separate from its state 763
 candidate fund. 764

(d) Each state political party shall have only one 765
 legislative campaign fund for each house of the general 766
 assembly. Each such fund shall be separate from any other funds 767
 or accounts of that state party. A legislative campaign fund is 768
 authorized to receive contributions and make expenditures for 769
 the primary purpose of furthering the election of candidates who 770
 are members of that political party to the house of the general 771
 assembly with which that legislative campaign fund is 772
 associated. Each legislative campaign fund shall be administered 773
 and controlled in a manner designated by the caucus. As used in 774
 this division, "caucus" has the same meaning as in section 775
 3517.01 of the Revised Code and includes, as an ex officio 776
 member, the chairperson of the state political party with which 777
 the caucus is associated or that chairperson's designee. 778

(4) Every expenditure in excess of twenty-five dollars 779
 shall be vouched for by a receipted bill, stating the purpose of 780
 the expenditure, that shall be filed with the statement of 781
 expenditures. A canceled check with a notation of the purpose of 782
 the expenditure is a receipted bill for purposes of division (D) 783
 (4) of this section. 784

(5) The secretary of state or the board of elections, as 785

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the case may be, shall issue a receipt for each statement filed 786
under this section and shall preserve a copy of the receipt for 787
a period of at least six years. All statements filed under this 788
section shall be open to public inspection in the office where 789
they are filed and shall be carefully preserved for a period of 790
at least six years after the year in which they are filed. 791

(6) The secretary of state, by rule adopted pursuant to 792
section 3517.23 of the Revised Code, shall prescribe both of the 793
following: 794

(a) The manner of immediately acknowledging, with date and 795
time received, and preserving the receipt of statements that are 796
transmitted by electronic means of transmission to the secretary 797
of state or a board of elections pursuant to this section or 798
section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 799
of the Revised Code; 800

(b) The manner of preserving the contribution and 801
expenditure, contribution and disbursement, deposit and 802
disbursement, gift and disbursement, or donation and 803
disbursement information in the statements described in division 804
(D) (6) (a) of this section. The secretary of state shall preserve 805
the contribution and expenditure, contribution and disbursement, 806
deposit and disbursement, gift and disbursement, or donation and 807
disbursement information in those statements for at least ten 808
years after the year in which they are filed by electronic means 809
of transmission. 810

(7) (a) The secretary of state, pursuant to division (G) of 811
section 3517.106 of the Revised Code, shall make available 812
online to the public through the internet the contribution and 813
expenditure, contribution and disbursement, deposit and 814
disbursement, gift and disbursement, or donation and 815

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disbursement information in all of the following documents:	816
(i) All statements, all addenda, amendments, or other corrections to statements, and all amended statements filed with the secretary of state by electronic or other means of transmission under this section, division (B) (2) (b) or (C) (2) (b) of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 3517.1013, 3517.1014, or 3517.11 of the Revised Code;	817 818 819 820 821 822
(ii) All statements filed with a board of elections by electronic means of transmission, and all addenda, amendments, corrections, and amended versions of those statements, filed with the board under this section, division (B) (2) (b) or (C) (2) (b) of section 3517.105, or section 3517.106, 3517.1012, or 3517.11 of the Revised Code.	823 824 825 826 827 828
(b) The secretary of state may remove the information from the internet after a reasonable period of time.	829 830
(E) (1) Any person, political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity that makes a contribution in connection with the nomination or election of any candidate or in connection with any ballot issue or question at any election held or to be held in this state shall provide its full name and address to the recipient of the contribution at the time the contribution is made. The political action committee also shall provide the registration number assigned to the committee under division (D) (1) of this section to the recipient of the contribution at the time the contribution is made.	831 832 833 834 835 836 837 838 839 840 841
(2) Any individual who makes a contribution that exceeds one hundred dollars to a political action committee, political contributing entity, legislative campaign fund, or political	842 843 844

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party or to a campaign committee of a statewide candidate or	845
candidate for the office of member of the general assembly shall	846
provide the name of the individual's current employer, if any,	847
or, if the individual is self-employed, the individual's	848
occupation and the name of the individual's business, if any, to	849
the recipient of the contribution at the time the contribution	850
is made. Sections 3599.39 and 3599.40 of the Revised Code do not	851
apply to division (E) (2) of this section.	852
(3) If a campaign committee shows that it has exercised	853
its best efforts to obtain, maintain, and submit the information	854
required under divisions (B) (4) (b) (ii) and (iii) of this	855
section, that committee is considered to have met the	856
requirements of those divisions. A campaign committee shall not	857
be considered to have exercised its best efforts unless, in	858
connection with written solicitations, it regularly includes a	859
written request for the information required under division (B)	860
(4) (b) (ii) of this section from the contributor or the	861
information required under division (B) (4) (b) (iii) of this	862
section from whoever transmits the contribution.	863
(4) Any check that a political action committee uses to	864
make a contribution or an expenditure shall contain the full	865
name and address of the committee and the registration number	866
assigned to the committee under division (D) (1) of this section.	867
(F) As used in this section:	868
(1) (a) Except as otherwise provided in division (F) (1) of	869
this section, "address" means all of the following if they	870
exist: apartment number, street, road, or highway name and	871
number, rural delivery route number, city or village, state, and	872
zip code as used in a person's post-office address, but not	873
post-office box.	874

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(b) Except as otherwise provided in division (F) (1) of this section, if an address is required in this section, a post- office box and office, room, or suite number may be included in addition to, but not in lieu of, an apartment, street, road, or highway name and number.	875 876 877 878 879
(c) If an address is required in this section, a campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity may use the business or residence address of its treasurer or deputy treasurer. The post-office box number of the campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity may be used in addition to that address.	880 881 882 883 884 885 886 887
(d) For the sole purpose of a campaign committee's reporting of contributions on a statement of contributions received under division (B) (4) of this section, "address" has one of the following meanings at the option of the campaign committee:	888 889 890 891 892
(i) The same meaning as in division (F) (1) (a) of this section;	893 894
(ii) All of the following, if they exist: the contributor's post-office box number and city or village, state, and zip code as used in the contributor's post-office address.	895 896 897
(e) As used with regard to the reporting under this section of any expenditure, "address" means all of the following if they exist: apartment number, street, road, or highway name and number, rural delivery route number, city or village, state, and zip code as used in a person's post-office address, or post- office box. If an address concerning any expenditure is required	898 899 900 901 902 903

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in this section, a campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity may use the business or residence address of its treasurer or deputy treasurer or its post-office box number.	904 905 906 907 908
(2) "Statewide candidate" means the joint candidates for the offices of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, attorney general, member of the state board of education, chief justice of the supreme court, or justice of the supreme court.	909 910 911 912 913 914
(3) "Candidate for county office" means a candidate for the office of county auditor, county treasurer, clerk of the court of common pleas, judge of the court of common pleas, sheriff, county recorder, county engineer, county commissioner, prosecuting attorney, or coroner.	915 916 917 918 919
(G) An independent expenditure shall be reported whenever and in the same manner that an expenditure is required to be reported under this section and shall be reported pursuant to division (B) (2) (a) or (C) (2) (a) of section 3517.105 of the Revised Code.	920 921 922 923 924
(H) (1) Except as otherwise provided in division (H) (2) of this section, if, during the combined pre-election and postelection reporting periods for an election, a campaign committee has received contributions of five hundred dollars or less and has made expenditures in the total amount of five hundred dollars or less, it may file a statement to that effect, under penalty of election falsification, in lieu of the statement required by division (A) (2) of this section. The statement shall indicate the total amount of contributions	925 926 927 928 929 930 931 932 933

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received and the total amount of expenditures made during those 934
 combined reporting periods. 935

(2) In the case of a successful candidate at a primary 936
 election, if either the total contributions received by or the 937
 total expenditures made by the candidate's campaign committee 938
 during the preprimary, postprimary, pregeneral, and postgeneral 939
 election periods combined equal more than five hundred dollars, 940
 the campaign committee may file the statement under division (H) 941
 (1) of this section only for the primary election. The first 942
 statement that the campaign committee files in regard to the 943
 general election shall reflect all contributions received and 944
 all expenditures made during the preprimary and postprimary 945
 election periods. 946

(3) Divisions (H) (1) and (2) of this section do not apply 947
 if a campaign committee receives contributions or makes 948
 expenditures prior to the first day of January of the year of 949
 the election at which the candidate seeks nomination or election 950
 to office or if the campaign committee does not file a 951
 termination statement with its postprimary election statement in 952
 the case of an unsuccessful primary election candidate or with 953
 its postgeneral election statement in the case of other 954
 candidates. 955

(I) In the case of a contribution made by a partner of a 956
 partnership or an owner or a member of another unincorporated 957
 business from any funds of the partnership or other 958
 unincorporated business, all of the following apply: 959

(1) The recipient of the contribution shall report the 960
 contribution by listing both the partnership or other 961
 unincorporated business and the name of the partner, owner, or 962
 member making the contribution. 963

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(2) In reporting the contribution, the recipient of the contribution shall be entitled to conclusively rely upon the information provided by the partnership or other unincorporated business, provided that the information includes one of the following:	964 965 966 967 968
(a) The name of each partner, owner, or member as of the date of the contribution or contributions, and a statement that the total contributions are to be allocated equally among all of the partners, owners, or members; or	969 970 971 972
(b) The name of each partner, owner, or member as of the date of the contribution or contributions who is participating in the contribution or contributions, and a statement that the contribution or contributions are to be allocated to those individuals in accordance with the information provided by the partnership or other unincorporated business to the recipient of the contribution.	973 974 975 976 977 978 979
(3) For purposes of section 3517.102 of the Revised Code, the contribution shall be considered to have been made by the partner, owner, or member reported under division (I)(1) of this section.	980 981 982 983
(4) No contribution from a partner of a partnership or an owner or a member of another unincorporated business shall be accepted from any funds of the partnership or other unincorporated business unless the recipient reports the contribution under division (I)(1) of this section together with the information provided under division (I)(2) of this section.	984 985 986 987 988 989
(5) No partnership or other unincorporated business shall make a contribution or contributions solely in the name of the partnership or other unincorporated business.	990 991 992

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<p>(6) As used in division (I) of this section, "partnership or other unincorporated business" includes, but is not limited to, a cooperative, a sole proprietorship, a general partnership, a limited partnership, a limited partnership association, a limited liability partnership, and a limited liability company.</p> <p>(J) A candidate shall have only one campaign committee at any given time for all of the offices for which the person is a candidate or holds office.</p> <p>(K) (1) In addition to filing a designation of appointment of a treasurer under division (D)(1) of this section, the campaign committee of any candidate for an elected municipal office that pays an annual amount of compensation of five thousand dollars or less, the campaign committee of any candidate for member of a board of education except member of the state board of education, or the campaign committee of any candidate for township trustee or township fiscal officer may sign, under penalty of election falsification, a certificate attesting that the committee will not accept contributions during an election period that exceed in the aggregate two thousand dollars from all contributors and one hundred dollars from any one individual, and that the campaign committee will not make expenditures during an election period that exceed in the aggregate two thousand dollars.</p> <p>The certificate shall be on a form prescribed by the secretary of state and shall be filed not later than ten days after the candidate files a declaration of candidacy and petition, a nominating petition, or a declaration of intent to be a write-in candidate.</p> <p>(2) Except as otherwise provided in division (K)(3) of this section, a campaign committee that files a certificate</p>	993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022
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under division (K) (1) of this section is not required to file 1023
the statements required by division (A) of this section. 1024

(3) If, after filing a certificate under division (K) (1) 1025
of this section, a campaign committee exceeds any of the 1026
limitations described in that division during an election 1027
period, the certificate is void and thereafter the campaign 1028
committee shall file the statements required by division (A) of 1029
this section. If the campaign committee has not previously filed 1030
a statement, then on the first statement the campaign committee 1031
is required to file under division (A) of this section after the 1032
committee's certificate is void, the committee shall report all 1033
contributions received and expenditures made from the time the 1034
candidate filed the candidate's declaration of candidacy and 1035
petition, nominating petition, or declaration of intent to be a 1036
write-in candidate. 1037

(4) As used in division (K) of this section, "election 1038
period" means the period of time beginning on the day a person 1039
files a declaration of candidacy and petition, nominating 1040
petition, or declaration of intent to be a write-in candidate 1041
through the day of the election at which the person seeks 1042
nomination to office if the person is not elected to office, or, 1043
if the candidate was nominated in a primary election, the day of 1044
the election at which the candidate seeks office. 1045

(L) A political contributing entity that receives 1046
contributions from the dues, membership fees, or other 1047
assessments of its members or from its officers, shareholders, 1048
and employees may report the aggregate amount of contributions 1049
received from those contributors and the number of individuals 1050
making those contributions, for each filing period under 1051
divisions (A) (1), (2), (3), and (4) of this section, rather than 1052

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reporting information as required under division (B) (4) of this
 section, including, when applicable, the name of the current
 employer, if any, of a contributor whose contribution exceeds
 one hundred dollars or, if such a contributor is self-employed,
 the contributor's occupation and the name of the contributor's
 business, if any. Division (B) (4) of this section applies to a
 political contributing entity with regard to contributions it
 receives from all other contributors.

Sec. 3517.12. (A) ~~Prior to receiving a contribution or~~
~~making an expenditure, the circulator or If the~~ committee in
 charge of an initiative or referendum petition, or supplementary
 petition for additional signatures, for the submission to the
electors of a constitutional amendment, proposed law, section,
or item of any law ballot issue or question receives a
contribution or makes an expenditure for the purpose of
achieving the successful circulation of the petition, the
committee is considered a political action committee for that
purpose and shall appoint a treasurer and shall file with the
secretary of state, on a form prescribed by the secretary of
state, a designation of that appointment, including the full
name and address of the treasurer and of the circulator or
committee comply with all applicable requirements of this
chapter concerning political action committees, including filing
a designation of treasurer under division (D) of section 3517.10
of the Revised Code before receiving a contribution or making an
expenditure and filing all required statements of contributions
and expenditures.

(B) ~~The circulator or If the~~ committee in charge of an
 initiative or referendum petition, or supplementary petition for
 additional signatures, for the submission to the electors of a
constitutional amendment, proposed law, section, or item of any

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~~law ballot issue or question receives no contributions and makes~~ 1084
~~no expenditures for the purpose of achieving the successful~~ 1085
~~circulation of the petition, and is not otherwise considered a~~ 1086
~~campaign committee, political party, legislative campaign fund,~~ 1087
~~political action committee, or political contributing entity,~~ 1088
~~then the committee shall, within thirty days after those the~~ 1089
~~petition papers are is filed, file with the secretary of state~~ 1090
~~office with which the petition is filed, on a form prescribed by~~ 1091
~~the secretary of state, an itemized a statement, made under~~ 1092
~~penalty of election falsification, showing in detail the~~ 1093
~~following:~~ 1094

(1) ~~All money or things of value paid, given, promised, or received for circulating the petitions;~~ 1095
(2) ~~All appointments, promotions, or increases in salary, in positions which were given, promised, or received, or to obtain which assistance was given, promised, or received as a consideration for work done in circulating petitions;~~ 1096

(3) ~~Full names and addresses, including street, city, and state, of all persons to whom such payments or promises were made and of all persons from whom such payments or promises were received;~~ 1097

(4) ~~Full names and addresses, including street, city, and state, of all persons who contributed anything of value to be used in circulating the petitions, and the amounts of those contributions;~~ 1098

(5) ~~Time spent and salaries earned while soliciting signatures to petitions by persons who were regular salaried employees of some person or whom that employer authorized to solicit as part of their regular duties.~~ 1099

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~~If that the committee received no money or things of value were paid or received or if no promises were made or received as a consideration for work done in circulating a petition, the statement shall contain words to that effect contributions and made no expenditures for the purpose of achieving the successful circulation of the petition.~~

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~~(C) The treasurer designated under division (A) of this section shall file statements of contributions and expenditures in accordance with section 3517.10 of the Revised Code regarding all contributions made or received and all expenditures made by that treasurer or the circulator or committee in connection with the initiative or referendum petition, or supplementary petition for additional signatures, for the submission of a constitutional amendment, proposed law, section, or item of any law.~~

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Sec. 3517.13. (A) (1) No campaign committee of a statewide candidate shall fail to file a complete and accurate statement required under division (A) (1) of section 3517.10 of the Revised Code.

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(2) No campaign committee of a statewide candidate shall fail to file a complete and accurate monthly statement, and no campaign committee of a statewide candidate or a candidate for the office of chief justice or justice of the supreme court shall fail to file a complete and accurate two-business-day statement, as required under section 3517.10 of the Revised Code.

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As used in this division, "statewide candidate" has the same meaning as in division (F) (2) of section 3517.10 of the Revised Code.

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(B) No campaign committee shall fail to file a complete and accurate statement required under division (A)(1) of section 3517.10 of the Revised Code.	1142 1143 1144
(C) No campaign committee shall fail to file a complete and accurate statement required under division (A)(2) of section 3517.10 of the Revised Code.	1145 1146 1147
(D) No campaign committee shall fail to file a complete and accurate statement required under division (A)(3) or (4) of section 3517.10 of the Revised Code.	1148 1149 1150
(E) No person other than a campaign committee shall knowingly fail to file a statement required under section 3517.10 or 3517.107 of the Revised Code.	1151 1152 1153
(F) No person shall make cash contributions to any person totaling more than one hundred dollars in each primary, special, or general election.	1154 1155 1156
(G) (1) No person shall knowingly conceal or misrepresent contributions given or received, expenditures made, or any other information required to be reported by a provision in sections 3517.08 to 3517.13 of the Revised Code.	1157 1158 1159 1160
(2) (a) No person shall make a contribution to a campaign committee, political action committee, political contributing entity, legislative campaign fund, political party, or person making disbursements to pay the direct costs of producing or airing electioneering communications in the name of another person.	1161 1162 1163 1164 1165 1166
(b) A person does not make a contribution in the name of another when either of the following applies:	1167 1168
(i) An individual makes a contribution from a partnership	1169

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or other unincorporated business account, if the contribution is 1170
 reported by listing both the name of the partnership or other 1171
 unincorporated business and the name of the partner or owner 1172
 making the contribution as required under division (I) of 1173
 section 3517.10 of the Revised Code. 1174

(ii) A person makes a contribution in that person's 1175
 spouse's name or in both of their names. 1176

(H) No person within this state, publishing a newspaper or 1177
 other periodical, shall charge a campaign committee for 1178
 political advertising a rate in excess of the rate such person 1179
 would charge if the campaign committee were a general rate 1180
 advertiser whose advertising was directed to promoting its 1181
 business within the same area as that encompassed by the 1182
 particular office that the candidate of the campaign committee 1183
 is seeking. The rate shall take into account the amount of space 1184
 used, as well as the type of advertising copy submitted by or on 1185
 behalf of the campaign committee. All discount privileges 1186
 otherwise offered by a newspaper or periodical to general rate 1187
 advertisers shall be available upon equal terms to all campaign 1188
 committees. 1189

No person within this state, operating a radio or 1190
 television station or network of stations in this state, shall 1191
 charge a campaign committee for political broadcasts a rate that 1192
 exceeds: 1193

(1) During the forty-five days preceding the date of a 1194
 primary election and during the sixty days preceding the date of 1195
 a general or special election in which the candidate of the 1196
 campaign committee is seeking office, the lowest unit charge of 1197
 the station for the same class and amount of time for the same 1198
 period; 1199

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(2) At any other time, the charges made for comparable use 1200
of that station by its other users. 1201

(I) Subject to divisions (K), (L), (M), and (N) of this 1202
section, no agency or department of this state or any political 1203
subdivision shall award any contract, other than one let by 1204
competitive bidding or a contract incidental to such contract or 1205
which is by force account, for the purchase of goods costing 1206
more than five hundred dollars or services costing more than 1207
five hundred dollars to any individual, partnership, 1208
association, including, without limitation, a professional 1209
association organized under Chapter 1785. of the Revised Code, 1210
estate, or trust if the individual has made or the individual's 1211
spouse has made, or any partner, shareholder, administrator, 1212
executor, or trustee or the spouse of any of them has made, as 1213
an individual, within the two previous calendar years, one or 1214
more contributions totaling in excess of one thousand dollars to 1215
the holder of the public office having ultimate responsibility 1216
for the award of the contract or to the public officer's 1217
campaign committee. 1218

(J) Subject to divisions (K), (L), (M), and (N) of this 1219
section, no agency or department of this state or any political 1220
subdivision shall award any contract, other than one let by 1221
competitive bidding or a contract incidental to such contract or 1222
which is by force account, for the purchase of goods costing 1223
more than five hundred dollars or services costing more than 1224
five hundred dollars to a corporation or business trust, except 1225
a professional association organized under Chapter 1785. of the 1226
Revised Code, if an owner of more than twenty per cent of the 1227
corporation or business trust or the spouse of that person has 1228
made, as an individual, within the two previous calendar years, 1229
taking into consideration only owners for all of that period, 1230

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one or more contributions totaling in excess of one thousand	1231
dollars to the holder of a public office having ultimate	1232
responsibility for the award of the contract or to the public	1233
officer's campaign committee.	1234
(K) For purposes of divisions (I) and (J) of this section,	1235
if a public officer who is responsible for the award of a	1236
contract is appointed by the governor, whether or not the	1237
appointment is subject to the advice and consent of the senate,	1238
excluding members of boards, commissions, committees,	1239
authorities, councils, boards of trustees, task forces, and	1240
other such entities appointed by the governor, the office of the	1241
governor is considered to have ultimate responsibility for the	1242
award of the contract.	1243
(L) For purposes of divisions (I) and (J) of this section,	1244
if a public officer who is responsible for the award of a	1245
contract is appointed by the elected chief executive officer of	1246
a municipal corporation, or appointed by the elected chief	1247
executive officer of a county operating under an alternative	1248
form of county government or county charter, excluding members	1249
of boards, commissions, committees, authorities, councils,	1250
boards of trustees, task forces, and other such entities	1251
appointed by the chief executive officer, the office of the	1252
chief executive officer is considered to have ultimate	1253
responsibility for the award of the contract.	1254
(M) (1) Divisions (I) and (J) of this section do not apply	1255
to contracts awarded by the board of commissioners of the	1256
sinking fund, municipal legislative authorities, boards of	1257
education, boards of county commissioners, boards of township	1258
trustees, or other boards, commissions, committees, authorities,	1259
councils, boards of trustees, task forces, and other such	1260

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entities created by law, by the supreme court or courts of appeals, by county courts consisting of more than one judge, courts of common pleas consisting of more than one judge, or municipal courts consisting of more than one judge, or by a division of any court if the division consists of more than one judge. This division shall apply to the specified entity only if the members of the entity act collectively in the award of a contract for goods or services.	1261 1262 1263 1264 1265 1266 1267 1268
(2) Divisions (I) and (J) of this section do not apply to actions of the controlling board.	1269 1270
(N) (1) Divisions (I) and (J) of this section apply to contributions made to the holder of a public office having ultimate responsibility for the award of a contract, or to the public officer's campaign committee, during the time the person holds the office and during any time such person was a candidate for the office. Those divisions do not apply to contributions made to, or to the campaign committee of, a candidate for or holder of the office other than the holder of the office at the time of the award of the contract.	1271 1272 1273 1274 1275 1276 1277 1278 1279
(2) Divisions (I) and (J) of this section do not apply to contributions of a partner, shareholder, administrator, executor, trustee, or owner of more than twenty per cent of a corporation or business trust made before the person held any of those positions or after the person ceased to hold any of those positions in the partnership, association, estate, trust, corporation, or business trust whose eligibility to be awarded a contract is being determined, nor to contributions of the person's spouse made before the person held any of those positions, after the person ceased to hold any of those positions, before the two were married, after the granting of a	1280 1281 1282 1283 1284 1285 1286 1287 1288 1289 1290

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decree of divorce, dissolution of marriage, or annulment, or	1291
after the granting of an order in an action brought solely for	1292
legal separation. Those divisions do not apply to contributions	1293
of the spouse of an individual whose eligibility to be awarded a	1294
contract is being determined made before the two were married,	1295
after the granting of a decree of divorce, dissolution of	1296
marriage, or annulment, or after the granting of an order in an	1297
action brought solely for legal separation.	1298
(O) No beneficiary of a campaign fund or other person	1299
shall convert for personal use, and no person shall knowingly	1300
give to a beneficiary of a campaign fund or any other person,	1301
for the beneficiary's or any other person's personal use,	1302
anything of value from the beneficiary's campaign fund,	1303
including, without limitation, payments to a beneficiary for	1304
services the beneficiary personally performs, except as	1305
reimbursement for any of the following:	1306
(1) Legitimate and verifiable prior campaign expenses	1307
incurred by the beneficiary;	1308
(2) Legitimate and verifiable ordinary and necessary prior	1309
expenses incurred by the beneficiary in connection with duties	1310
as the holder of a public office, including, without limitation,	1311
expenses incurred through participation in nonpartisan or	1312
bipartisan events if the participation of the holder of a public	1313
office would normally be expected;	1314
(3) Legitimate and verifiable ordinary and necessary prior	1315
expenses incurred by the beneficiary while doing any of the	1316
following:	1317
(a) Engaging in activities in support of or opposition to	1318
a candidate other than the beneficiary, political party, or	1319

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ballot issue;	1320
(b) Raising funds for a political party, political action committee, political contributing entity, legislative campaign fund, campaign committee, or other candidate;	1321 1322 1323
(c) Participating in the activities of a political party, political action committee, political contributing entity, legislative campaign fund, or campaign committee;	1324 1325 1326
(d) Attending a political party convention or other political meeting.	1327 1328
For purposes of this division, an expense is incurred whenever a beneficiary has either made payment or is obligated to make payment, as by the use of a credit card or other credit procedure or by the use of goods or services received on account.	1329 1330 1331 1332 1333
(P) No beneficiary of a campaign fund shall knowingly accept, and no person shall knowingly give to the beneficiary of a campaign fund, reimbursement for an expense under division (O) of this section to the extent that the expense previously was reimbursed or paid from another source of funds. If an expense is reimbursed under division (O) of this section and is later paid or reimbursed, wholly or in part, from another source of funds, the beneficiary shall repay the reimbursement received under division (O) of this section to the extent of the payment made or reimbursement received from the other source.	1334 1335 1336 1337 1338 1339 1340 1341 1342 1343
(Q) No candidate or public official or employee shall accept for personal or business use anything of value from a political party, political action committee, political contributing entity, legislative campaign fund, or campaign committee other than the candidate's or public official's or	1344 1345 1346 1347 1348

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employee's own campaign committee, and no person shall knowingly	1349
give to a candidate or public official or employee anything of	1350
value from a political party, political action committee,	1351
political contributing entity, legislative campaign fund, or	1352
such a campaign committee, except for the following:	1353
(1) Reimbursement for legitimate and verifiable ordinary	1354
and necessary prior expenses not otherwise prohibited by law	1355
incurred by the candidate or public official or employee while	1356
engaged in any legitimate activity of the political party,	1357
political action committee, political contributing entity,	1358
legislative campaign fund, or such campaign committee. Without	1359
limitation, reimbursable expenses under this division include	1360
those incurred while doing any of the following:	1361
(a) Engaging in activities in support of or opposition to	1362
another candidate, political party, or ballot issue;	1363
(b) Raising funds for a political party, legislative	1364
campaign fund, campaign committee, or another candidate;	1365
(c) Attending a political party convention or other	1366
political meeting.	1367
(2) Compensation not otherwise prohibited by law for	1368
actual and valuable personal services rendered under a written	1369
contract to the political party, political action committee,	1370
political contributing entity, legislative campaign fund, or	1371
such campaign committee for any legitimate activity of the	1372
political party, political action committee, political	1373
contributing entity, legislative campaign fund, or such campaign	1374
committee.	1375
Reimbursable expenses under this division do not include,	1376
and it is a violation of this division for a candidate or public	1377

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official or employee to accept, or for any person to knowingly	1378
give to a candidate or public official or employee from a	1379
political party, political action committee, political	1380
contributing entity, legislative campaign fund, or campaign	1381
committee other than the candidate's or public official's or	1382
employee's own campaign committee, anything of value for	1383
activities primarily related to the candidate's or public	1384
official's or employee's own campaign for election, except for	1385
contributions to the candidate's or public official's or	1386
employee's campaign committee.	1387
For purposes of this division, an expense is incurred	1388
whenever a candidate or public official or employee has either	1389
made payment or is obligated to make payment, as by the use of a	1390
credit card or other credit procedure, or by the use of goods or	1391
services on account.	1392
(R) (1) Division (O) or (P) of this section does not	1393
prohibit a campaign committee from making direct advance or post	1394
payment from contributions to vendors for goods and services for	1395
which reimbursement is permitted under division (O) of this	1396
section, except that no campaign committee shall pay its	1397
candidate or other beneficiary for services personally performed	1398
by the candidate or other beneficiary.	1399
(2) If any expense that may be reimbursed under division	1400
(O), (P), or (Q) of this section is part of other expenses that	1401
may not be paid or reimbursed, the separation of the two types	1402
of expenses for the purpose of allocating for payment or	1403
reimbursement those expenses that may be paid or reimbursed may	1404
be by any reasonable accounting method, considering all of the	1405
surrounding circumstances.	1406
(3) For purposes of divisions (O), (P), and (Q) of this	1407

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section, mileage allowance at a rate not greater than that
 allowed by the internal revenue service at the time the travel
 occurs may be paid instead of reimbursement for actual travel
 expenses allowable. 1408
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(4) For purposes of divisions (O), (P), and (Q) of this 1412
section, the reasonable cost of child care rendered in this 1413
state is considered an ordinary and necessary expense incurred 1414
by a beneficiary while engaging in the activities and duties 1415
described in those divisions, so long as all of the following 1416
apply: 1417

(a) The cost is incurred only as a direct result of the 1418
beneficiary engaging in those activities and duties and would 1419
not otherwise be incurred. 1420

(b) The beneficiary is a primary caregiver of the child. 1421

(c) The child is twelve years of age or younger. 1422

(S) (1) As used in division (S) of this section: 1423

(a) "State elective office" has the same meaning as in 1424
 section 3517.092 of the Revised Code. 1425

(b) "Federal office" means a federal office as defined in 1426
 the Federal Election Campaign Act. 1427

(c) "Federal campaign committee" means a principal 1428
 campaign committee or authorized committee as defined in the 1429
 Federal Election Campaign Act. 1430

(2) No person who is a candidate for state elective office 1431
 and who previously sought nomination or election to a federal 1432
 office shall transfer any funds or assets from that person's 1433
 federal campaign committee for nomination or election to the 1434
 federal office to that person's campaign committee as a 1435

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candidate for state elective office. 1436

(3) No campaign committee of a person who is a candidate 1437
 for state elective office and who previously sought nomination 1438
 or election to a federal office shall accept any funds or assets 1439
 from that person's federal campaign committee for that person's 1440
 nomination or election to the federal office. 1441

(T) (1) Except as otherwise provided in division (B) (6) (c) 1442
 of section 3517.102 of the Revised Code, a state or county 1443
 political party shall not disburse moneys from any account other 1444
 than a state candidate fund to make contributions to any of the 1445
 following: 1446

(a) A state candidate fund; 1447

(b) A legislative campaign fund; 1448

(c) A campaign committee of a candidate for the office of 1449
 governor, lieutenant governor, secretary of state, auditor of 1450
 state, treasurer of state, attorney general, member of the state 1451
 board of education, or member of the general assembly. 1452

(2) No state candidate fund, legislative campaign fund, or 1453
 campaign committee of a candidate for any office described in 1454
 division (T) (1) (c) of this section shall knowingly accept a 1455
 contribution in violation of division (T) (1) of this section. 1456

(U) No person shall fail to file a statement required 1457
 under section 3517.12 of the Revised Code. 1458

(V) No campaign committee shall fail to file a statement 1459
 required under division (K) (3) of section 3517.10 of the Revised 1460
 Code. 1461

(W) (1) No foreign national shall, directly or indirectly 1462
 through any other person or entity, make do any of the 1463

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<u>following:</u>	1464
(a) <u>Make a contribution, expenditure, or independent expenditure or promise, either expressly or implicitly, to make a contribution, expenditure, or independent expenditure in support of or opposition to a candidate for any elective office in this state, including an office of a political party;</u>	1465 1466 1467 1468 1469
(b) <u>Solicit another person to make a contribution, expenditure, or independent expenditure;</u>	1470 1471
(c) <u>Make a loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds to another person with a designation, instruction, or encumbrance that the foreign national knows will result in any part of the loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds being used to make a contribution, expenditure, or independent expenditure. As used in this division, "designation, instruction, or encumbrance" includes any designation, instruction, or encumbrance that is direct or indirect, express or implied, oral or written, or involving an intermediary or conduit.</u>	1472 1473 1474 1475 1476 1477 1478 1479 1480 1481 1482
(2) <u>No candidate, campaign committee, political action committee, political contributing entity, legislative campaign fund, state candidate fund, political party, or separate segregated fund, continuing association, corporation, or labor organization shall do either of the following:</u>	1483 1484 1485 1486 1487
(a) <u>Knowingly transfer funds, or accept a transfer of funds, directly or indirectly into an account from which the person makes contributions or expenditures from an account that is controlled by the person or by the person's affiliate and that, at any time, has contained funds received directly or</u>	1488 1489 1490 1491 1492

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indirectly from a foreign national. For purposes of this 1493
division, a person is affiliated with another person if they are 1494
both established, financed, maintained, or controlled by, or if 1495
they are, the same corporation, organization, labor 1496
organization, or other person, including any parent, subsidiary, 1497
division, or department of that corporation, organization, labor 1498
organization, or other person. 1499

(b) Otherwise knowingly solicit or accept a contribution, 1500
expenditure, or independent expenditure, directly or indirectly 1501
through another person or entity, from a foreign national. The 1502
secretary of state may direct any candidate, committee, entity, 1503
fund, or party that accepts a contribution, expenditure, or 1504
independent expenditure in violation of this division to return 1505
the contribution, expenditure, or independent expenditure or, if 1506
it is not possible to return the contribution, expenditure, or 1507
independent expenditure, then to return instead the value of it, 1508
to the contributor. 1509

(3) No person shall knowingly aid or facilitate a 1510
violation of division (W) (1) or (2) of this section. 1511

(4) As used in division (W) of this section, "foreign 1512
national" has the same meaning as in section 441e(b) of the 1513
Federal Election Campaign Act means any of the following, as 1514
applicable: 1515

(a) In the case of an individual, an individual who is not 1516
a United States citizen or national; 1517

(b) A government of a foreign country or of a political 1518
subdivision of a foreign country; 1519

(c) A foreign political party; 1520

(d) A person, other than an individual, that is organized 1521

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<u>under the laws of, or has its principal place of business in, a foreign country.</u>	1522 1523
(X) (1) No state or county political party shall transfer any moneys from its restricted fund to any account of the political party into which contributions may be made or from which contributions or expenditures may be made.	1524 1525 1526 1527
(2) (a) No state or county political party shall deposit a contribution or contributions that it receives into its restricted fund.	1528 1529 1530
(b) No state or county political party shall make a contribution or an expenditure from its restricted fund.	1531 1532
(3) (a) No corporation or labor organization shall make a gift or gifts from the corporation's or labor organization's money or property aggregating more than ten thousand dollars to any one state or county political party for the party's restricted fund in a calendar year.	1533 1534 1535 1536 1537
(b) No state or county political party shall accept a gift or gifts for the party's restricted fund aggregating more than ten thousand dollars from any one corporation or labor organization in a calendar year.	1538 1539 1540 1541
(4) No state or county political party shall transfer any moneys in the party's restricted fund to any other state or county political party.	1542 1543 1544
(5) No state or county political party shall knowingly fail to file a statement required under section 3517.1012 of the Revised Code.	1545 1546 1547
(Y) The administrator of workers' compensation and the employees of the bureau of workers' compensation shall not	1548 1549

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conduct any business with or award any contract, other than one awarded by competitive bidding, for the purchase of goods costing more than five hundred dollars or services costing more than five hundred dollars to any individual, partnership, association, including, without limitation, a professional association organized under Chapter 1785. of the Revised Code, estate, or trust, if the individual has made, or the individual's spouse has made, or any partner, shareholder, administrator, executor, or trustee, or the spouses of any of those individuals has made, as an individual, within the two previous calendar years, one or more contributions totaling in excess of one thousand dollars to the campaign committee of the governor or lieutenant governor or to the campaign committee of any candidate for the office of governor or lieutenant governor.	1550 1551 1552 1553 1554 1555 1556 1557 1558 1559 1560 1561 1562 1563
(Z) The administrator of workers' compensation and the employees of the bureau of workers' compensation shall not conduct business with or award any contract, other than one awarded by competitive bidding, for the purchase of goods costing more than five hundred dollars or services costing more than five hundred dollars to a corporation or business trust, except a professional association organized under Chapter 1785. of the Revised Code, if an owner of more than twenty per cent of the corporation or business trust, or the spouse of the owner, has made, as an individual, within the two previous calendar years, taking into consideration only owners for all of such period, one or more contributions totaling in excess of one thousand dollars to the campaign committee of the governor or lieutenant governor or to the campaign committee of any candidate for the office of governor or lieutenant governor.	1564 1565 1566 1567 1568 1569 1570 1571 1572 1573 1574 1575 1576 1577 1578
Sec. 3517.155. (A) (1) Except as otherwise provided in division (B) of this section, the Ohio elections commission	1579 1580

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shall hold its first hearing on a complaint filed with it, other 1581
 than a complaint that receives an expedited hearing under 1582
 section 3517.156 of the Revised Code, not later than ninety 1583
 business days after the complaint is filed unless the commission 1584
 has good cause to hold the hearing after that time, in which 1585
 case it shall hold the hearing not later than one hundred eighty 1586
 business days after the complaint is filed. At the hearing, the 1587
 commission shall determine whether or not the failure to act or 1588
 the violation alleged in the complaint has occurred and shall do 1589
 only one of the following, except as otherwise provided in 1590
~~division (B) of~~ this section or in division (B) of section 1591
 3517.151 of the Revised Code: 1592

(a) Enter a finding that good cause has been shown not to 1593
 impose a fine or not to refer the matter to the appropriate 1594
 prosecutor; 1595

(b) Impose a fine under section 3517.993 of the Revised 1596
 Code; 1597

(c) Refer the matter to the appropriate prosecutor.+ 1598

(2) As used in division (A) of this section, "appropriate 1599
~~prosecutor" means a prosecutor as defined in section 2935.01 of~~ 1600
~~the Revised Code and either of the following:~~ 1601

(a) In the case of a failure to comply with or a violation 1602
 of law involving a campaign committee or the committee's 1603
 candidate, a political party, a legislative campaign fund, a 1604
 political action committee, or a political contributing entity, 1605
 that is required to file a statement of contributions and 1606
 expenditures with the secretary of state under division (A) of 1607
 section 3517.11 of the Revised Code, the ~~prosecutor of Franklin~~ 1608
~~county attorney general, except that if the attorney general is~~ 1609

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<u>a victim or witness or otherwise involved in the matter,</u> <u>"appropriate prosecutor" means a county prosecutor whom the</u> <u>commission deems appropriate to prosecute the matter;</u> (b) In the case of a failure to comply with or a violation of law involving any other campaign committee or committee's candidate, or any other political party, political action committee, or political contributing entity, either of the following as determined by the commission: (i) <u>The prosecutor of Franklin county attorney general,</u> <u>except that if the attorney general is a victim or witness or</u> <u>otherwise involved in the matter, the commission shall refer the</u> <u>matter to the prosecutor described in division (A) (2) (b) (ii) of</u> <u>this section;</u> (ii) <u>The prosecutor of the county in which the candidacy</u> <u>or ballot question or issue is submitted to the electors or, if</u> <u>it is submitted in more than one county, the most populous of</u> <u>those counties, except that if that prosecutor is a victim or</u> <u>witness or otherwise involved in the matter, the commission</u> <u>shall refer the matter to the attorney general.</u> (3) <u>When the commission refers a matter to the attorney</u> <u>general under this section, or when a matter is transferred to</u> <u>the attorney general under division (D) (3) (b) of this section,</u> <u>the attorney general may prosecute the matter with all the</u> <u>rights, privileges, and powers conferred by law on prosecuting</u> <u>attorneys, including the power to appear before grand juries and</u> <u>to interrogate witnesses before such grand juries. These powers</u> <u>of the attorney general are in addition to any other applicable</u> <u>powers of the attorney general.</u> (B) If the commission decides that the evidence is	1610 1611 1612 1613 1614 1615 1616 1617 1618 1619 1620 1621 1622 1623 1624 1625 1626 1627 1628 1629 1630 1631 1632 1633 1634 1635 1636 1637 1638
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insufficient for it to determine whether or not the failure to
act or the violation alleged in the complaint has occurred, the
commission, by the affirmative vote of five members, may request
that an investigatory attorney investigate the complaint. Upon
that request, an investigatory attorney shall make an
investigation in order to produce sufficient evidence for the
commission to decide the matter. If the commission requests an
investigation under this division, for good cause shown by the
investigatory attorney, the commission may extend by sixty days
the deadline for holding its first hearing on the complaint as
required in division (A) of this section.

(C) The commission shall take one of the actions required
under division (A) of this section not later than thirty days
after the close of all the evidence presented.

(D) (1) The commission shall make any finding of a failure
to comply with or a violation of law in regard to a complaint
that alleges a violation of division (A) or (B) of section
3517.21, or division (A) or (B) of section 3517.22 of the
Revised Code by clear and convincing evidence. The commission
shall make any finding of a failure to comply with or a
violation of law in regard to any other complaint by a
preponderance of the evidence.

(2) If the commission finds a violation of division (B) of
section 3517.21 or division (B) of section 3517.22 of the
Revised Code, it shall refer the matter to the appropriate
prosecutor under division (A)(1)(c) of this section and shall
not impose a fine under division (A)(1)(b) of this section or
section 3517.993 of the Revised Code.

(3) (a) If the commission finds a violation of division (W)
of section 3517.13 of the Revised Code, it shall do one of the

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following:

<p><u>following:</u></p> <p><u>(i) Impose a fine under section 3517.993 of the Revised Code in an amount equal to three times the amount involved in the violation or ten thousand dollars, whichever amount is greater, with none of the fine suspended and, in the case of a violation of division (W) (2) of section 3517.13 of the Revised Code, order the violator to return an amount equal to any amount accepted in violation of that division to the foreign national from whom it was accepted;</u></p> <p><u>(ii) Refer the matter to the appropriate prosecutor.</u></p> <p><u>(b) (i) Except as otherwise provided in division (D) (3) (b) (ii) of this section, if the commission finds a violation of division (W) of section 3517.13 of the Revised Code and refers the matter to a county prosecutor under division (A) (2) (b) (ii) of this section, the attorney general may transfer the matter to the attorney general for prosecution upon the request of the prosecutor to whom the commission refers the matter or upon the attorney general's own initiative.</u></p> <p><u>(ii) Division (D) (3) (b) (i) of this section does not apply to any matter in which the attorney general is a victim or witness or is otherwise involved.</u></p> <p><u>(E) In an action before the commission or a panel of the commission, if the allegations of the complainant are not proved, and the commission takes the action described in division (A) (1) (a) of this section or a panel of the commission takes the action described in division (C) (1) of section 3517.156 of the Revised Code, the commission or a panel of the commission may find that the complaint is frivolous, and, if the commission or panel so finds, the commission shall order the</u></p>	<p>1669</p> <p>1670</p> <p>1671</p> <p>1672</p> <p>1673</p> <p>1674</p> <p>1675</p> <p>1676</p> <p>1677</p> <p>1678</p> <p>1679</p> <p>1680</p> <p>1681</p> <p>1682</p> <p>1683</p> <p>1684</p> <p>1685</p> <p>1686</p> <p>1687</p> <p>1688</p> <p>1689</p> <p>1690</p> <p>1691</p> <p>1692</p> <p>1693</p> <p>1694</p> <p>1695</p> <p>1696</p> <p>1697</p>
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complainant to pay reasonable attorney's fees and to pay the	1698
costs of the commission or panel as determined by a majority of	1699
the members of the commission. The costs paid to the commission	1700
or panel under this division shall be deposited into the Ohio	1701
elections commission fund.	1702
Sec. 3517.992. This section establishes penalties only	1703
with respect to acts or failures to act that occur on and after	1704
August 24, 1995.	1705
(A) (1) A candidate whose campaign committee violates	1706
division (A), (B), (C), (D), or (V) of section 3517.13 of the	1707
Revised Code, or a treasurer of a campaign committee who	1708
violates any of those divisions, shall be fined not more than	1709
one hundred dollars for each day of violation.	1710
(2) Whoever violates division (E) or (X)(5) of section	1711
3517.13 or division (E)(1) of section 3517.1014 of the Revised	1712
Code shall be fined not more than one hundred dollars for each	1713
day of violation.	1714
(B) An entity that violates division (G)(1) of section	1715
3517.101 of the Revised Code shall be fined not more than one	1716
hundred dollars for each day of violation.	1717
(C) Whoever violates division (G)(2) of section 3517.101,	1718
division (G) of section 3517.13, or division (E)(2) or (3) of	1719
section 3517.1014 of the Revised Code shall be fined not more	1720
than ten thousand dollars or, if the offender is a person who	1721
was nominated or elected to public office, shall forfeit the	1722
nomination or the office to which the offender was elected, or	1723
both.	1724
(D) Whoever violates division (F) of section 3517.13 of	1725
the Revised Code shall be fined not more than three times the	1726

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amount contributed.	1727
(E) Whoever violates division (H) of section 3517.13 of the Revised Code shall be fined not more than one hundred dollars.	1728 1729 1730
(F) Whoever violates division (O), (P), or (Q) of section 3517.13 of the Revised Code is guilty of a misdemeanor of the first degree.	1731 1732 1733
(G) A state or county committee of a political party that violates division (B) (1) of section 3517.18 of the Revised Code as that section existed before its repeal by H.B. 166 of the 133rd general assembly shall be fined not more than twice the amount of the improper expenditure.	1734 1735 1736 1737 1738
(H) An entity that violates division (H) of section 3517.101 of the Revised Code shall be fined not more than twice the amount of the improper expenditure or use.	1739 1740 1741
(I) (1) Any individual who violates division (B) (1) of section 3517.102 of the Revised Code and knows that the contribution the individual makes violates that division shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.	1742 1743 1744 1745 1746
(2) Any political action committee that violates division (B) (2) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.	1747 1748 1749 1750
(3) Any campaign committee that violates division (B) (3) or (5) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.	1751 1752 1753 1754

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(4) (a) Any legislative campaign fund that violates division (B) (6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount transferred or contributed in excess of the amount permitted by that division, as applicable.	1755 1756 1757 1758 1759
(b) Any state political party, county political party, or state candidate fund of a state political party or county political party that violates division (B) (6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount transferred or contributed in excess of the amount permitted by that division, as applicable.	1760 1761 1762 1763 1764 1765
(c) Any political contributing entity that violates division (B) (7) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.	1766 1767 1768 1769
(5) Any political party that violates division (B) (4) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.	1770 1771 1772 1773
(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) of this section, no violation of division (B) of section 3517.102 of the Revised Code occurs, and the secretary of state shall not refer parties to the Ohio elections commission, if the amount transferred or contributed in excess of the amount permitted by that division meets either of the following conditions:	1774 1775 1776 1777 1778 1779 1780
(a) It is completely refunded within five business days after it is accepted.	1781 1782
(b) It is completely refunded on or before the tenth	1783

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business day after notification to the recipient of the excess transfer or contribution by the board of elections or the secretary of state that a transfer or contribution in excess of the permitted amount has been received.	1784 1785 1786 1787
(J) (1) Any campaign committee that violates division (C) (1), (2), (3), or (6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	1788 1789 1790 1791
(2) (a) Any county political party that violates division (C) (4) (a) (ii) or (iii) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted.	1792 1793 1794 1795
(b) Any county political party that violates division (C) (4) (a) (i) of section 3517.102 of the Revised Code shall be fined an amount from its state candidate fund equal to three times the amount accepted in excess of the amount permitted by that division.	1796 1797 1798 1799 1800
(c) Any state political party that violates division (C) (4) (b) of section 3517.102 of the Revised Code shall be fined an amount from its state candidate fund equal to three times the amount accepted in excess of the amount permitted by that division.	1801 1802 1803 1804 1805
(3) Any legislative campaign fund that violates division (C) (5) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	1806 1807 1808 1809
(4) Any political action committee or political contributing entity that violates division (C) (7) of section 3517.102 of the Revised Code shall be fined an amount equal to	1810 1811 1812

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three times the amount accepted in excess of the amount permitted by that division.	1813 1814
(5) Notwithstanding divisions (J)(1), (2), (3), and (4) of this section, no violation of division (C) of section 3517.102 of the Revised Code occurs, and the secretary of state shall not refer parties to the Ohio elections commission, if the amount transferred or contributed in excess of the amount permitted to be accepted by that division meets either of the following conditions:	1815 1816 1817 1818 1819 1820 1821
(a) It is completely refunded within five business days after its acceptance.	1822 1823
(b) It is completely refunded on or before the tenth business day after notification to the recipient of the excess transfer or contribution by the board of elections or the secretary of state that a transfer or contribution in excess of the permitted amount has been received.	1824 1825 1826 1827 1828
(K)(1) Any legislative campaign fund that violates division (F)(1) of section 3517.102 of the Revised Code shall be fined twenty-five dollars for each day of violation.	1829 1830 1831
(2) Any legislative campaign fund that violates division (F)(2) of section 3517.102 of the Revised Code shall give to the treasurer of state for deposit into the state treasury to the credit of the Ohio elections commission fund all excess contributions not disposed of as required by division (E) of section 3517.102 of the Revised Code.	1832 1833 1834 1835 1836 1837
(L) Whoever violates section 3517.105 of the Revised Code shall be fined one thousand dollars.	1838 1839
(M)(1) Whoever solicits a contribution in violation of section 3517.092 or violates division (B) of section 3517.09 of	1840 1841

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the Revised Code is guilty of a misdemeanor of the first degree.	1842
(2) Whoever knowingly accepts a contribution in violation of division (B) or (C) of section 3517.092 of the Revised Code shall be fined an amount equal to three times the amount accepted in violation of either of those divisions and shall return to the contributor any amount so accepted. Whoever unknowingly accepts a contribution in violation of division (B) or (C) of section 3517.092 of the Revised Code shall return to the contributor any amount so accepted.	1843 1844 1845 1846 1847 1848 1849 1850
(N) Whoever violates division (S) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount of funds transferred or three times the value of the assets transferred in violation of that division.	1851 1852 1853 1854
(O) Any campaign committee that accepts a contribution or contributions in violation of section 3517.108 of the Revised Code, uses a contribution in violation of that section, or fails to dispose of excess contributions in violation of that section shall be fined an amount equal to three times the amount accepted, used, or kept in violation of that section.	1855 1856 1857 1858 1859 1860
(P) Any political party, state candidate fund, legislative candidate fund, or campaign committee that violates division (T) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount contributed or accepted in violation of that section.	1861 1862 1863 1864 1865
(Q) A treasurer of a committee or another person who violates division (U) of section 3517.13 of the Revised Code shall be fined not more than two hundred fifty dollars.	1866 1867 1868
(R) Whoever violates division (I) or (J) of section 3517.13 of the Revised Code shall be fined not more than one	1869 1870

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thousand dollars. Whenever a person is found guilty of violating	1871
division (I) or (J) of section 3517.13 of the Revised Code, the	1872
contract awarded in violation of either of those divisions shall	1873
be rescinded if its terms have not yet been performed.	1874
(S) A candidate whose campaign committee violates or a	1875
treasurer of a campaign committee who violates section 3517.081	1876
of the Revised Code, and a candidate whose campaign committee	1877
violates or a treasurer of a campaign committee or another	1878
person who violates division (C) of section 3517.10 of the	1879
Revised Code, shall be fined not more than five hundred dollars.	1880
(T) A candidate whose campaign committee violates or a	1881
treasurer of a committee who violates division (B) of section	1882
3517.09 of the Revised Code, or a candidate whose campaign	1883
committee violates or a treasurer of a campaign committee or	1884
another person who violates division (C) of section 3517.09 of	1885
the Revised Code shall be fined not more than one thousand	1886
dollars.	1887
(U) Whoever violates section 3517.20 of the Revised Code	1888
shall be fined not more than five hundred dollars.	1889
(V) Whoever violates section 3517.21 or 3517.22 of the	1890
Revised Code shall be imprisoned for not more than six months or	1891
fined not more than five thousand dollars, or both.	1892
(W) A campaign committee that is required to file a	1893
declaration of no limits under division (D)(2) of section	1894
3517.103 of the Revised Code that, before filing that	1895
declaration, accepts a contribution or contributions that exceed	1896
the limitations prescribed in section 3517.102 of the Revised	1897
Code, shall return that contribution or those contributions to	1898
the contributor.	1899

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- (X) Any campaign committee that fails to file the declaration of filing-day finances required by division (F) of section 3517.109 of the Revised Code shall be fined twenty-five dollars for each day of violation. 1900
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- (Y) (1) Any campaign committee that fails to dispose of excess funds or excess aggregate contributions under division (B) of section 3517.109 of the Revised Code in the manner required by division (C) of that section shall give to the treasurer of state for deposit into the Ohio elections commission fund created under division (I) of section 3517.152 of the Revised Code all funds not disposed of pursuant to that division. 1904
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- (2) Any treasurer of a transition fund that fails to dispose of assets remaining in the transition fund as required under division (H)(1) or (2) of section 3517.1014 of the Revised Code shall give to the treasurer of state for deposit into the Ohio elections commission fund all assets not disposed of pursuant to that division. 1912
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- (Z) Any individual, campaign committee, political action committee, political contributing entity, legislative campaign fund, political party, treasurer of a transition fund, or other entity that violates any provision of sections 3517.09 to 3517.12 of the Revised Code for which no penalty is provided for under any other division of this section shall be fined not more than one thousand dollars. 1918
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- (AA) (1) Whoever knowingly violates division (W)(1) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount contributed, expended, or promised in violation of that division or ten thousand dollars, whichever amount is greater. 1925
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(2) Whoever knowingly violates division (W) (2) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount solicited or accepted in violation of that division or ten thousand dollars, whichever amount is greater, and shall be required to return an amount equal to any amount accepted in violation of that division to the foreign national from whom it was accepted. 1930
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(3) Whoever knowingly violates division (W) (3) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount involved in the violation or ten thousand dollars, whichever amount is greater. 1937
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(BB) Whoever knowingly violates division (C) or (D) of section 3517.1011 of the Revised Code shall be fined not more than ten thousand dollars plus not more than one thousand dollars for each day of violation. 1941
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(CC) (1) Subject to division (CC) (2) of this section, whoever violates division (H) of section 3517.1011 of the Revised Code shall be fined an amount up to three times the amount disbursed for the direct costs of airing the communication made in violation of that division. 1945
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(2) Whoever has been ordered by the Ohio elections commission or by a court of competent jurisdiction to cease making communications in violation of division (H) of section 3517.1011 of the Revised Code who again violates that division shall be fined an amount equal to three times the amount disbursed for the direct costs of airing the communication made in violation of that division. 1950
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(DD) (1) Any corporation or labor organization that violates division (X) (3) (a) of section 3517.13 of the Revised 1957
1958

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Code shall be fined an amount equal to three times the amount given in excess of the amount permitted by that division.	1959 1960
(2) Any state or county political party that violates division (X) (3) (b) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	1961 1962 1963 1964
(EE) (1) Any campaign committee or person who violates division (C) (1) (b) or (c) of section 3517.1014 of the Revised Code shall be fined an amount equal to three times the amount donated in excess of the amount permitted by that division.	1965 1966 1967 1968
(2) Any officeholder or treasurer of a transition fund who violates division (C) (3) (a) or (b) of section 3517.1014 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	1969 1970 1971 1972 1973
Section 2. That existing sections 3517.01, 3517.10, 3517.12, 3517.13, 3517.155, and 3517.992 of the Revised Code are hereby repealed.	1974 1975 1976
Section 3. (A) Notwithstanding any provision of the Revised Code to the contrary, a major political party shall certify to the Secretary of State in writing the names of its candidates for president and vice-president nominated by its national convention pursuant to section 3505.10 of the Revised Code not later than the seventy-fourth day before the 2024 general election. The political party may transmit the certification to the Secretary of State by any reasonably reliable method that, under the circumstances, will provide for the Secretary of State to receive it by the deadline, including by any of the following methods:	1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987

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(1) Hand delivery;	1988
(2) Certified, express, or ordinary mail delivery by the United States Postal Service;	1989 1990
(3) Commercial carrier service;	1991
(4) Facsimile transmission;	1992
(5) Electronic mail.	1993
(B) For purposes of this section, "major political party" has the same meaning as in section 3501.01 of the Revised Code.	1994 1995

Exhibit D

As Passed by the Senate

135th General Assembly

Regular Session

Am. Sub. H. B. No. 305

2023-2024

Representatives Stewart, Brown

Cosponsors: Representatives Baker, Bird, Brewer, Claggett, Click, Dell'Aquila, Galonski, Grim, Gross, Isaacsohn, Jarrells, John, Kick, Klopfenstein, Lampton, LaRe, Lightbody, Lipps, McNally, Miller, A., Miller, J., Miranda, Mohamed, Plummer, Skindell, Somani, Upchurch, Weinstein, Williams, Willis, Young, T., Hillyer, Mathews, Abrams, Barhorst, Brennan, Brent, Creech, Cross, Cutrona, Dobos, Forhan, Fowler Arthur, Hall, Humphrey, Johnson, Jones, Liston, Lorenz, McClain, Miller, K., Miller, M., Oelslager, Patton, Pavliga, Peterson, Robb Blasdel, Russo, Stein, Thomas, C., White, Wiggam

Senators Manning, Brenner, Cirino, Gavarone, Hackett, Johnson, Lang, McColley, Reineke, Reynolds, Roegner, Romanchuk, Schaffer, Wilkin, Wilson

A BILL

To amend sections 9.03, 120.54, 181.21, 325.33,	1
345.13, 517.23, 1317.07, 1901.02, 1901.123,	2
1901.261, 1907.11, 1907.143, 1907.261, 2303.081,	3
2303.201, 2505.02, 2929.20, 2967.26, 3517.01,	4
3517.10, 3517.12, 3517.13, 3517.155, 3517.992,	5
3517.993, 4507.112, 4509.101, and 4517.261; to	6
enact new section 135.032 and sections 181.26,	7
1901.313, 1907.202, and 3109.055; and to repeal	8
sections 135.032 and 135.321 of the Revised Code	9
to address the laws governing financial and	10
administrative matters of the courts, judgeships	11
and court jurisdiction in Conneaut and Ashtabula	12
County, appeals related to enforcement of state	13
law, conciliation in family law proceedings, the	14
use of financial assistance by legal aid	15
societies, allocation of funds to the Indigent	16

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Support Defense Fund, political subdivision	17
soldiers' memorials, maintenance of a mausoleum	18
or columbarium, third-party administration of	19
driving tests, motor vehicle documentary service	20
charges, and public depositories; to establish a	21
standing juvenile committee of the Criminal	22
Sentencing Commission; to prohibit chartered	23
counties and municipal corporations from using	24
public funds for certain purposes; to modify the	25
Campaign Finance Law; and to reiterate the	26
effective date of judicial release and	27
transitional control provisions enacted in S.B.	28
288 of the 134th General Assembly.	29

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 9.03, 120.54, 181.21, 325.33,	30
345.13, 517.23, 1317.07, 1901.02, 1901.123, 1901.261, 1907.11,	31
1907.143, 1907.261, 2303.081, 2303.201, 2505.02, 2929.20,	32
2967.26, 3517.01, 3517.10, 3517.12, 3517.13, 3517.155, 3517.992,	33
3517.993, 4507.112, 4509.101, and 4517.261 be amended and new	34
section 135.032 and sections 181.26, 1901.313, 1907.202, and	35
3109.055 of the Revised Code be enacted to read as follows:	36

Sec. 9.03. (A) As used in this section: 37

(1) "Political subdivision" means any body corporate and	38
politic, except a municipal corporation that has adopted a	39
charter under Section 7 of Article XVIII, Ohio Constitution, and	40
except a county that has adopted a charter under Sections 3 and	41
4 of Article X, Ohio Constitution, to which both of the	42

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following apply:	43
(a) It is responsible for governmental activities only in a geographic area smaller than the state.	44
(b) It is subject to the sovereign immunity of the state.	45
(2) "Cigarettes" and "tobacco product" have the same meanings as in section 5743.01 of the Revised Code.	47
(3) "Transaction" has the same meaning as in section 1315.51 of the Revised Code.	49
(4) "Campaign committee," "campaign fund," "candidate," "legislative campaign fund," "political action committee," "political committee," "political party," and "separate segregated fund" have the same meanings as in section 3517.01 of the Revised Code.	51
(B) Except as otherwise provided in division (C) of this section, the governing body of a political subdivision may use public funds to publish and distribute newsletters, or to use any other means, to communicate information about the plans, policies, and operations of the political subdivision to members of the public within the political subdivision and to other persons who may be affected by the political subdivision.	56
(C) Except as otherwise provided in division (A) (7) of section 340.03 of the Revised Code, no governing body of a political subdivision shall use public funds to do any of the following:	63
(1) Publish, distribute, or otherwise communicate information that does any of the following:	67
(a) Contains defamatory, libelous, or obscene matter;	69

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Page 4

(b) Promotes alcoholic beverages, cigarettes or other tobacco products, or any illegal product, service, or activity;	70 71
(c) Promotes illegal discrimination on the basis of race, color, religion, national origin, disability, age, or ancestry;	72 73
(d) Supports or opposes any labor organization or any action by, on behalf of, or against any labor organization;	74 75
(e) Supports or opposes the nomination or election of a candidate for public office, the investigation, prosecution, or recall of a public official, or the passage of a levy or bond issue.	76 77 78 79
(2) Compensate any employee of the political subdivision for time spent on any activity to influence the outcome of an election for any of the purposes described in division (C) (1) (e) of this section. Division (C) (2) of this section does not prohibit the use of public funds to compensate an employee of a political subdivision for attending a public meeting to present information about the political subdivision's finances, activities, and governmental actions in a manner that is not designed to influence the outcome of an election or the passage of a levy or bond issue, even though the election, levy, or bond issue is discussed or debated at the meeting.	80 81 82 83 84 85 86 87 88 89 90
(D) Except as otherwise provided in division (A) (7) of section 340.03 of the Revised Code or in division (E) of this section, no person shall knowingly conduct a direct or indirect transaction of public funds to the benefit of any of the following:	91 92 93 94 95
(1) A campaign committee;	96
(2) A political action committee;	97

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(3) A legislative campaign fund;	98
(4) A political party;	99
(5) A campaign fund;	100
(6) A political committee;	101
(7) A separate segregated fund;	102
(8) A candidate.	103
(E) Division (D) of this section does not prohibit the utilization of any person's own time to speak in support of or in opposition to any candidate, recall, referendum, levy, or bond issue unless prohibited by any other section of the Revised Code.	104 105 106 107 108
(F) Nothing in this section prohibits or restricts any political subdivision from sponsoring, participating in, or doing any of the following:	109 110 111
(1) Charitable or public service advertising that is not commercial in nature;	112 113
(2) Advertising of exhibitions, performances, programs, products, or services that are provided by employees of a political subdivision or are provided at or through premises owned or operated by a political subdivision;	114 115 116 117
(3) Licensing an interest in a name or mark that is owned or controlled by the political subdivision.	118 119
(G) Whoever violates division (D) of this section shall be punished as provided in section 3599.40 of the Revised Code.	120 121
Sec. 120.54. (A) A legal aid society that receives financial assistance from the legal aid fund under section 120.53 of the Revised Code shall use the financial assistance	122 123 124

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for only the following purposes:	125
(1) To defray the costs of providing legal services to indigents;	126 127
(2) To provide legal training and legal technical assistance to other eligible legal aid societies; and	128 129
(3) If the legal aid society has entered into an agreement pursuant to division (H) of section 120.53 of the Revised Code and in accordance with the description and list of conditions set forth in its application pursuant to division (B) (9) of that section, to provide funds for the services, programs, training, and legal technical assistance provided to the legal aid society under the contract.	130 131 132 133 134 135 136
(B) No financial assistance received by a legal aid society from the legal aid fund pursuant to section 120.53 of the Revised Code shall be used for the provision of legal services in relation to any criminal case or proceeding or in relation to the provision of legal assistance in any fee generating case.	137 138 139 140 141 142
<u>Sec. 135.032. (A) For the purposes of this section:</u>	143
(1) <u>"Institution"</u> means an institution eligible to become a public depository under section 135.03 or 135.32 of the Revised Code or an eligible credit union, as defined in section 135.62 of the Revised Code.	144 145 146 147
(2) <u>"Prompt corrective action directive"</u> means a directive issued by a regulatory authority of the United States as authorized under 12 U.S.C. 1790d or 1831o.	148 149 150
(B) <u>An institution designated as a public depository under this chapter shall notify each governing board that made such</u>	151 152

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designation if the institution becomes party to an active prompt 153
corrective action directive. 154

(C) Except as otherwise provided in division (D) of this 155
section, an institution is ineligible to become a public 156
depository under this chapter or to have active, interim, or 157
inactive deposits awarded, placed, purchased, made, or 158
designated pursuant to this chapter, if the institution is party 159
to an active prompt corrective action directive. 160

(D) If a governing board receives notice under division 161
(B) of this section, or otherwise becomes aware that an 162
institution the board designated as a public depository is party 163
to an active prompt corrective action directive, the board may 164
do either or both of the following, if the board determines that 165
it is in the public interest: 166

(1) Allow the public depository to continue to have 167
active, interim, or inactive deposits awarded, placed, 168
purchased, made, or designated for the remainder of the 169
designation period; 170

(2) Designate the institution as a public depository for 171
additional succeeding designation periods. 172

(E) If a governing board determines that one or both of 173
the actions permitted by division (D) of this section are in the 174
public interest, and public moneys are lost due to the failure 175
of the public depository subject to the active prompt correction 176
directive, all of the following are relieved from any liability 177
for that loss: 178

(1) The governing board's treasurer and deputy treasurer; 179
(2) An executive director, director, or other person 180
employed by the governing board, its treasurer, or its deputy 181

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<u>treasurer;</u>	182
<u>(3) Bondspersons and surety of any person described in</u>	183
<u>divisions (E) (1) and (2) of this section.</u>	184
 Sec. 181.21. (A) There is hereby created within the	185
supreme court the state criminal sentencing commission,	186
consisting of thirty-one members. One member shall be the chief	187
justice of the supreme court, who shall be the chairperson of	188
the commission. The following ten members of the commission, no	189
more than six of whom shall be members of the same political	190
party, shall be appointed by the chief justice: one judge of a	191
court of appeals, three judges of courts of common pleas who are	192
not juvenile court judges, three judges of juvenile courts, and	193
three judges of municipal courts or county courts. Four members	194
shall be the superintendent of the state highway patrol, the	195
state public defender, the director of youth services, and the	196
director of rehabilitation and correction, or their individual	197
designees. The following twelve members, no more than seven of	198
whom shall be members of the same political party, shall be	199
appointed by the governor after consulting with the appropriate	200
state associations, if any, that are represented by these	201
members: one sheriff; two county prosecuting attorneys, at least	202
one of whom shall be experienced in the prosecution of cases in	203
juvenile court involving alleged delinquent children, unruly	204
children, and juvenile traffic offenders; two peace officers of	205
a municipal corporation or township, at least one of whom shall	206
be experienced in the investigation of cases involving	207
juveniles; one former victim of a violation of Title XXIX of the	208
Revised Code; one attorney whose practice of law primarily	209
involves the representation of criminal defendants; one member	210
of the Ohio state bar association; one attorney whose practice	211
of law primarily involves the representation in juvenile court	212

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of alleged delinquent children, unruly children, and juvenile traffic offenders; one full-time city prosecuting attorney; one county commissioner; and one mayor, city manager, or member of a legislative authority of a municipal corporation. Two members shall be members of the senate, one appointed by the president of the senate and one appointed by the minority leader of the senate. Two members shall be members of the house of representatives, one appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives.	213 214 215 216 217 218 219 220 221 222
The chief justice shall become a member of the commission on August 22, 1990, and the chief justice's successors in office shall become members of the commission on the day that they assume the office of chief justice. The term of office of the chief justice as a member of the commission shall continue for as long as that person holds the office of chief justice. The term of office of the member who is an attorney whose practice of law primarily involves the representation of criminal defendants, the term of office of the member who is an attorney whose practice of law primarily involves the representation in juvenile court of alleged delinquent children, unruly children, and juvenile traffic offenders, and the term of office of the former victim of a violation of Title XXIX of the Revised Code shall be four years. The term of office of the superintendent of the state highway patrol, the state public defender, the director of youth services, and the director of rehabilitation and correction, or their individual designees, as members of the commission shall continue for as long as they hold the office of superintendent of the state highway patrol, state public defender, director of youth services, or director of rehabilitation and correction. The term of office of a municipal	223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243

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corporation or township peace officer as a member of the 244
 commission shall be the lesser of four years or until that 245
 person ceases to be a peace officer of a municipal corporation 246
 or township. Unless the full-time city prosecuting attorney is 247
 an elected official, the term of office of the full-time city 248
 prosecuting attorney shall be the lesser of four years or until 249
 the full-time city prosecuting attorney ceases to be a full-time 250
 city prosecuting attorney. All of the members of the commission 251
 who are elected officials shall serve the lesser of four years 252
 or until the expiration of their term of office. Any vacancy on 253
 the commission shall be filled in the same manner as the 254
 original appointment. 255

When the chief justice and governor make their 256
 appointments to the commission, they shall consider adequate 257
 representation by race and gender. 258

(B) The commission shall select a vice-chairperson and any 259
 other necessary officers and adopt rules to govern its 260
 proceedings. The commission shall meet as necessary at the call 261
 of the chairperson or on the written request of eight or more of 262
 its members. Sixteen members of the commission constitute a 263
 quorum, and the votes of a majority of the quorum present shall 264
 be required to validate any action of the commission. All 265
 business of the commission shall be conducted in public 266
 meetings. 267

The members of the commission shall serve without 268
 compensation, but each member shall be reimbursed for the 269
 member's actual and necessary expenses incurred in the 270
 performance of the member's official duties on the commission. 271
 In the absence of the chairperson, the vice-chairperson shall 272
 perform the duties of the chairperson. 273

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(C) The commission shall establish an office and shall
 appoint and fix the compensation of a project director and any
 other employees necessary to assist the commission in the
 execution of its authority under sections 181.21 to 181.25 of
 the Revised Code. The project director shall have a thorough
 understanding of the criminal laws of this state and experience
 in committee-oriented research. The other employees may include
 a research coordinator with experience and training in policy-
 oriented research; professional staff employees with backgrounds
 in criminal law, criminal justice, political science, or related
 fields of expertise; administrative assistants; and secretaries.
 The commission also may appoint and fix the compensation of
 part-time data collectors, clerical employees, and other
 temporary employees as needed to enable the commission to
 execute its authority under sections 181.21 to 181.25 of the
 Revised Code.

(D) (1) The sentencing commission shall establish a
standing juvenile committee. The committee may consist of the
following commission members:

(a) The chief justice of the supreme court or the chief
justice's designee;

(b) The director of youth services, or the director's
designee;

(c) The three juvenile court judges;

(d) One court of common pleas judge who is not a juvenile
court judge;

(e) One county prosecuting attorney who is experienced in
the prosecution of cases in juvenile court involving alleged
delinquent children, unruly children, and juvenile traffic

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<u>offenders;</u>	303
(f) <u>The attorney whose practice of law primarily involves</u>	304
<u>the representation in juvenile court of alleged delinquent</u>	305
<u>children, unruly children, and juvenile traffic offenders;</u>	306
(g) <u>The former victim of a violation of Title XXIX of the</u>	307
<u>Revised Code;</u>	308
(h) <u>The county commissioner;</u>	309
(i) <u>One legislator from each political party;</u>	310
(j) <u>The sheriff;</u>	311
(k) <u>One municipal corporation or township peace officer</u>	312
<u>who is experienced in the investigation of cases involving</u>	313
<u>juveniles;</u>	314
(l) <u>Any other persons that the chief justice or the</u>	315
<u>chairperson of the committee designates.</u>	316
(2) <u>The members may serve on the committee by designation</u>	317
<u>of the chief justice or the chairperson of the committee.</u>	318
(3) <u>The chief justice shall designate a member to serve as</u>	319
<u>chairperson of the committee. The committee shall select a vice-</u>	320
<u>chairperson and any other necessary officers and adopt rules to</u>	321
<u>govern its proceedings.</u>	322
(4) <u>The committee shall meet as necessary at the call of</u>	323
<u>the chairperson or on the written request of four or more of the</u>	324
<u>committee's members. A majority of the members of the committee</u>	325
<u>constitutes a quorum, and the votes of a majority of the quorum</u>	326
<u>present are required to validate any action of the committee,</u>	327
<u>including recommendations to the commission.</u>	328
(5) <u>The committee and the commission shall comply with</u>	329

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<u>section 181.26 of the Revised Code.</u>	330
<u>Sec. 181.26. (A) In addition to its duties set forth in</u>	331
<u>this chapter, the state criminal sentencing commission shall do</u>	332
<u>all of the following:</u>	333
<u>(1) Review all statutes governing delinquent child, unruly</u>	334
<u>child, and juvenile traffic offender dispositions in this state;</u>	335
<u>(2) Review state and local resources, including facilities</u>	336
<u>and programs, used for delinquent child, unruly child, and</u>	337
<u>juvenile traffic offender dispositions and the populations of</u>	338
<u>youthful offenders in the facilities and programs;</u>	339
<u>(3) Develop a juvenile justice policy for the state. The</u>	340
<u>policy shall be designed to:</u>	341
<u>(a) Assist in the managing of the number of persons in,</u>	342
<u>operation of, and costs of the facilities, the programs, and</u>	343
<u>other resources used in delinquent child, unruly child, and</u>	344
<u>juvenile traffic offender dispositions;</u>	345
<u>(b) Further the purposes for disposition under section</u>	346
<u>2152.01 of the Revised Code;</u>	347
<u>(c) Provide greater certainty, proportionality,</u>	348
<u>uniformity, fairness, and simplicity in delinquent child, unruly</u>	349
<u>child, and juvenile traffic offender dispositions while</u>	350
<u>retaining reasonable judicial discretion.</u>	351
<u>(B) The commission shall do all of the following:</u>	352
<u>(1) Assist in the implementation of statutes governing</u>	353
<u>delinquent child, unruly child, and juvenile traffic offender</u>	354
<u>dispositions in this state;</u>	355
<u>(2) Monitor the operation of statutes governing delinquent</u>	356

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child, unruly child, and juvenile traffic offender dispositions 357
in this state, periodically report to the general assembly on 358
the statutes' operation and the statutes' impact on resources 359
used in delinquent child, unruly child, and juvenile traffic 360
offender dispositions, and recommend necessary changes in the 361
statutes to the general assembly in the biennial monitoring 362
report described in section 181.25 of the Revised Code; 363

(3) Review all bills that are introduced in the general 364
assembly related to delinquent child, unruly child, and juvenile 365
traffic offender dispositions, determine if those bills are 366
consistent with the juvenile justice policy adopted under 367
division (A) (3) of this section, recommend to the general 368
assembly amendments to those bills if necessary, and assist the 369
general assembly in making legislation consistent with the 370
juvenile justice policy adopted under division (A) (3) of this 371
section. 372

Sec. 325.33. (A) Notwithstanding sections 325.27 and 373
 325.31 of the Revised Code, all fees retained by the clerk of 374
 courts under Chapters 1548., 4505., and 4519. of the Revised 375
Code, all fees the clerk of courts receives as a third-party 376
administrator of the motor vehicle skills test under section 377
4507.112 of the Revised Code, and all fees the clerk of courts 378
 receives in the capacity of deputy registrar under section 379
 4503.03 of the Revised Code shall be paid into the county 380
 treasury to the credit of the certificate of title 381
 administration fund, which is hereby created. Fees credited to 382
 the fund shall be used as follows: 383

(1) To pay the costs incurred by the clerk of courts in 384
 processing titles under Chapters 1548., 4505., and 4519. of the 385
 Revised Code; 386

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(2) To pay the clerk of courts an eight thousand dollar
 annual pay supplement for performing the duties of a deputy
 registrar if the clerk is not a limited authority deputy
 registrar, as described in section 4501:1-6-04 of the Ohio
 Administrative Code. 387
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(B) If the board of county commissioners and the clerk of
 courts agree that the money in the fund exceeds what is needed
 to pay the costs specified in division (A) of this section, the
 excess may be transferred to the county general fund and used
 for other county purposes. If the board of county commissioners
 and the clerk of courts are unable to agree on the amount of any
 such excess, the county budget commission shall determine the
 amount that will be transferred to the county general fund. 392
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Sec. 345.13. A soldiers' memorial, provided for by section
 345.01 of the Revised Code, shall be maintained so as to
 commemorate the services of all members and veterans of the
 armed forces of the United States. The board of trustees shall
 make rules and regulations for the use, administration, and
 maintenance of such memorial as is fitting and necessary to
 carry out the purposes thereof. The board of trustees may make
rules and regulations for entertainment, retail, educational,
sporting, social, cultural, or arts opportunities at the
memorial. 400
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When such memorial is a building, it shall provide
 suitable apartments of sufficient dimensions to commemorate the
 soldiers, sailors, marines, and all members of the armed forces
 of the United States, so designated by congress, ~~both men and~~
~~women of the county,~~ who have lost their lives while in the
 service of the country. Suitable tablets shall be maintained
 with the names of such soldiers, sailors, and marines inscribed 410
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thereon. The building may include a public auditorium, music hall, and recreational facilities.

The board may establish rental fees and other charges for the use of the memorial, and it may waive any portion of such charges.

With the approval of the board of county commissioners,
the board of trustees may enter into contracts with political
subdivisions or nonprofit organizations for the use of other
facilities separate and apart from the memorial, and to provide
other services. Such use shall adhere to the rules and
regulations established by the board of trustees to carry out
the purposes of the memorial.

Sec. 517.23. (A) Subject to divisions (B), (D), and (E),
and (F) of this section, the board of township trustees, the trustees or directors of a cemetery association, or the other officers having control and management of a cemetery or the officer of a municipal corporation who has control and management of a municipal cemetery shall disinter or grant permission to disinter any remains buried interred in the cemetery in either of the following circumstances:

(1) Within thirty days after an application for disinterment is filed with the cemetery in accordance with division (A) of section 517.24 of the Revised Code and payment of the reasonable costs and expense of disinterment is made by the following applicants:

(a) A designated representative, or successor, to whom the decedent had assigned the right of disposition in a written declaration pursuant to section 2108.70 of the Revised Code and who had exercised such right at the time of the declarant's

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death;	446
(b) If no designated representative exercised the right of disposition pursuant to section 2108.70 of the Revised Code, the surviving spouse of the decedent who is eighteen years of age or older.	447 448 449 450
(2) On order of a probate court issued under division (B) of section 517.24 of the Revised Code and payment by the person who applied for the order under that division of the reasonable costs and expense of disinterment.	451 452 453 454
(B) No disinterment shall be made pursuant to this section and section 517.24 of the Revised Code if the decedent died of a contagious or infectious disease until a permit has been issued by the board of health of a general health district or of a city health district. <u>This division does not apply to cremated remains.</u>	455 456 457 458 459 460
(C) Upon disinterment of remains under division (A)(1) or (2) of this section, the involved board, trustees, directors, other officers, or officer of the municipal corporation shall deliver or cause to be delivered the disinterred remains to the applicant under division (A)(1) of this section or, if the disinterment was pursuant to court order issued under division (B) of section 517.24 of the Revised Code, to the person who applied for the order under that division.	461 462 463 464 465 466 467 468
(D) The board of township trustees, the trustees or directors of a cemetery association, or the other officers having control and management of a cemetery or the officer of a municipal corporation who has control and management of a municipal cemetery may disinter or grant permission to disinter and, if appropriate, may reinter or grant permission to reinter	469 470 471 472 473 474

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any remains ~~buried-interred~~ in the cemetery to correct an 475
 interment error in the cemetery if the board, trustees, 476
 directors, other officers, or officer of the municipal 477
 corporation comply with the internal rules of the cemetery 478
 pertaining to disinterments and if the board, trustees, 479
 directors, other officers, or officer of the municipal 480
 corporation provide notice of the disinterment to the person who 481
 has been assigned or reassigned the rights of disposition for 482
 the deceased person under the provisions of section 2108.70 or 483
 2108.81 of the Revised Code. The board, trustees, directors, 484
 other officers, or officer of the municipal corporation may 485
 correct an interment error under this division without a court 486
 order or an application by a person. 487

(E) (1) A person who is an interested party and who is 488
 eighteen years of age or older and of sound mind may apply to 489
 the probate court of the county in which the decedent is ~~buried-~~ 490
~~interred~~ for an order to prevent the applicant under division 491
 (A) (1) of this section from having the remains of the decedent 492
 disinterred. An application to prevent the disinterment of the 493
 remains of the decedent shall be in writing, subscribed and 494
 verified by oath, and include all of the following: 495

(a) If applicable, a statement that the applicant assumed 496
 financial responsibility for the funeral and ~~burial-interment~~ 497
 expenses of the decedent; 498

(b) If division (E) (1) (a) of this section is inapplicable 499
 relative to the applicant, a statement that the applicant did 500
 not assume financial responsibility for the funeral and ~~burial-~~ 501
~~interment~~ expenses of the decedent; 502

(c) A statement that the applicant is eighteen years of 503
 age or older and of sound mind; 504

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(d) The relationship of the applicant to the decedent;	505
(e) A statement of the applicant's reasons to oppose the disinterment of the remains of the decedent.	506 507
(2) An applicant for an order to prevent the disinterment of the remains of the decedent under division (E) of this section promptly shall give notice of the filing of the application by certified mail, return receipt requested, to the applicant under division (A) (1) of this section. The notice shall indicate that the applicant has filed an application for an order to prevent the disinterment of the remains of the decedent.	
<u>(F) (1) If the repair or replacement of a mausoleum or columbarium necessitates the disinterment of one or more sets of remains, the board, trustees, directors, other officers, or officer of the municipal corporation, shall file a single application with the probate court in the county where the mausoleum or columbarium is situated for a disinterment order that authorizes the disinterment and reinterment of those affected remains in the mausoleum or columbarium. Upon the filing of the application, the probate court shall schedule a hearing.</u>	
<u>(2) The board, trustees, directors, other officers, or officer of the municipal corporation promptly shall provide notice to the surviving spouses of the affected decedents and to the persons who have been assigned or reassigned the rights of disposition for the affected remains under the provisions of sections 2108.70 to 2108.90 of the Revised Code. The notice shall state that an application for disinterment has been filed and shall provide the time, date, and location of the hearing. The notice shall be sent by certified mail, return receipt</u>	

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requested, or, if the names or addresses of such persons are 535
unknown and cannot with reasonable diligence be ascertained, the 536
notice shall be made by publication in a newspaper of general 537
circulation in the county where the probate court is located and 538
as otherwise required by the probate court. 539

(3) Upon conducting the hearing, the court shall issue an 540
order of disinterment if all of the following are satisfied: 541

(a) The affected remains shall be held in a permanent or 542
temporary structure on cemetery property that allows for access 543
for visitation during the times that the cemetery's other 544
grounds and facilities are open for visitation, shall be 545
properly identified and held in a secure manner without any 546
commingling of cremated remains, and shall not be held for a 547
period exceeding eighteen months unless an extension of time is 548
granted by the probate court for good cause; 549

(b) If a mausoleum or columbarium is being replaced, the 550
replacement mausoleum or columbarium shall be built on property 551
that is owned by the cemetery and that is either the same 552
property upon which the original mausoleum or columbarium was 553
located or property that is contiguous thereto; 554

(c) The cemetery provided notice as required under 555
division (F) (2) of this section; 556

(d) Upon considering all of the following, the court finds 557
there are one or more compelling reasons to issue the requested 558
order of disinterment: 559

(i) The cost, feasibility, and timetable for the repairs 560
or replacement; 561

(ii) The current condition of the structure to be repaired 562
or replaced; 563

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<u>(iii) The location, design, features, and overall quality of the proposed replacement structure;</u>	564
<u>(iv) The input of the persons receiving notice under division (F) (2) of this section.</u>	565
<u>(4) A cemetery is not liable in damages in a civil action if the cemetery changes the specific location of entombment rights or columbarium rights due to the repair or replacement of a mausoleum or columbarium made in accordance with an order issued by the probate court under division (F) (3) of this section.</u>	568
<u>(G) As used in this section and in section 517.24 of the Revised Code:</u>	574
(1) "Cemetery" and "interment" have the same meanings as in section 1721.21 of the Revised Code.	576
(2) "Disinterment" means the recovery of human remains by exhumation, disentombment, or disinurnment. "Disinterment" does not include the raising and lowering of remains to accommodate two interments within a single grave and does not include the repositioning of an outside burial container that encroaches an adjoining burial space.	578
Sec. 1317.07. No retail installment contract authorized by section 1317.03 of the Revised Code that is executed in connection with any retail installment sale shall evidence any indebtedness in excess of the time balance fixed in the written instrument in compliance with section 1317.04 of the Revised Code, but it may evidence in addition any agreements of the parties for the payment of delinquent charges, as provided for in section 1317.06 of the Revised Code, taxes, and any lawful fee actually paid out, or to be paid out, by the retail seller	584
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to any public officer for filing, recording, or releasing any instrument securing the payment of the obligation owed on any retail installment contract. No retail seller, directly or indirectly, shall charge, contract for, or receive from any retail buyer, any further or other amount for examination, service, brokerage, commission, expense, fee, or other thing of value, unless the retail seller is otherwise authorized by law to do so. A documentary service charge customarily and presently being paid on May 9, 1949, in a particular business and area may be charged if the charge does not exceed two hundred fifty dollars per sale, except as otherwise authorized by section 4517.261 of the Revised Code.

No retail seller shall use multiple agreements with respect to a single item or related items purchased at the same time, with intent to obtain a higher charge than would otherwise be permitted by Chapter 1317. of the Revised Code or to avoid disclosure of an annual percentage rate, nor by use of such agreements make any charge greater than that which would be permitted by Chapter 1317. of the Revised Code had a single agreement been used.

Sec. 1901.02. (A) The municipal courts established by section 1901.01 of the Revised Code have jurisdiction within the corporate limits of their respective municipal corporations, or, for the Clermont county municipal court, and, effective January 1, 2008, the Erie county municipal court, within the municipal corporation or unincorporated territory in which they are established, and are courts of record. Each of the courts shall be styled " _____ municipal court," inserting the name of the municipal corporation, except the following courts, which shall be styled as set forth below:

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(1) The municipal court established in Chesapeake that shall be styled and known as the "Lawrence county municipal court";	623
(2) The municipal court established in Cincinnati that shall be styled and known as the "Hamilton county municipal court";	626
(3) The municipal court established in Ravenna that shall be styled and known as the "Portage county municipal court";	629
(4) The municipal court established in Athens that shall be styled and known as the "Athens county municipal court";	631
(5) The municipal court established in Columbus that shall be styled and known as the "Franklin county municipal court";	633
(6) The municipal court established in London that shall be styled and known as the "Madison county municipal court";	635
(7) The municipal court established in Newark that shall be styled and known as the "Licking county municipal court";	637
(8) The municipal court established in Wooster that shall be styled and known as the "Wayne county municipal court";	639
(9) The municipal court established in Wapakoneta that shall be styled and known as the "Auglaize county municipal court";	641
(10) The municipal court established in Troy that shall be styled and known as the "Miami county municipal court";	644
(11) The municipal court established in Bucyrus that shall be styled and known as the "Crawford county municipal court";	646
(12) The municipal court established in Logan that shall be styled and known as the "Hocking county municipal court";	648

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(13) The municipal court established in Urbana that shall be styled and known as the "Champaign county municipal court";	650 651
(14) The municipal court established in Jackson that shall be styled and known as the "Jackson county municipal court";	652 653
(15) The municipal court established in Springfield that shall be styled and known as the "Clark county municipal court";	654 655
(16) The municipal court established in Kenton that shall be styled and known as the "Hardin county municipal court";	656 657
(17) The municipal court established within Clermont county in Batavia or in any other municipal corporation or unincorporated territory within Clermont county that is selected by the legislative authority of that court that shall be styled and known as the "Clermont county municipal court";	658 659 660 661 662
(18) The municipal court established in Wilmington that, beginning July 1, 1992, shall be styled and known as the "Clinton county municipal court";	663 664 665
(19) The municipal court established in Port Clinton that shall be styled and known as the "Ottawa county municipal court";	666 667 668
(20) The municipal court established in Lancaster that, beginning January 2, 2000, shall be styled and known as the "Fairfield county municipal court";	669 670 671
(21) The municipal court established within Columbiana county in Lisbon or in any other municipal corporation or unincorporated territory selected pursuant to division (I) of section 1901.021 of the Revised Code, that shall be styled and known as the "Columbiana county municipal court";	672 673 674 675 676
(22) The municipal court established in Georgetown that,	677

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beginning February 9, 2003, shall be styled and known as the "Brown county municipal court";	678 679
(23) The municipal court established in Mount Gilead that, beginning January 1, 2003, shall be styled and known as the "Morrow county municipal court";	680 681 682
(24) The municipal court established in Greenville that, beginning January 1, 2005, shall be styled and known as the "Darke county municipal court";	683 684 685
(25) The municipal court established in Millersburg that, beginning January 1, 2007, shall be styled and known as the "Holmes county municipal court";	686 687 688
(26) The municipal court established in Carrollton that, beginning January 1, 2007, shall be styled and known as the "Carroll county municipal court";	689 690 691
(27) The municipal court established within Erie county in Milan or established in any other municipal corporation or unincorporated territory that is within Erie county, is within the territorial jurisdiction of that court, and is selected by the legislative authority of that court that, beginning January 1, 2008, shall be styled and known as the "Erie county municipal court";	692 693 694 695 696 697 698
(28) The municipal court established in Ottawa that, beginning January 1, 2011, shall be styled and known as the "Putnam county municipal court";	699 700 701
(29) The municipal court established within Montgomery county in any municipal corporation or unincorporated territory within Montgomery county, except the municipal corporations of Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood, Union, Vandalia, and West	702 703 704 705 706

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Carrollton and Butler, German, Harrison, Miami, and Washington townships, that is selected by the legislative authority of that court and that, beginning July 1, 2010, shall be styled and known as the "Montgomery county municipal court";	707 708 709 710
(30) The municipal court established in Tiffin that, beginning January 1, 2014, shall be styled and known as the "Tiffin-Fostoria municipal court";	711 712 713
(31) The municipal court established in New Lexington that, beginning January 1, 2018, shall be styled and known as the "Perry county municipal court";	714 715 716
(32) The municipal court established in Paulding that, beginning January 1, 2020, shall be styled and known as the "Paulding county municipal court";	717 718 719
(33) The municipal court established in Wauseon that, beginning January 1, 2024, shall be styled and known as the "Fulton county municipal court."	720 721 722
(B) In addition to the jurisdiction set forth in division (A) of this section, the municipal courts established by section 1901.01 of the Revised Code have jurisdiction as follows:	723 724 725
The Akron municipal court has jurisdiction within Bath, Richfield, and Springfield townships, and within the municipal corporations of Fairlawn, Lakemore, and Mogadore, in Summit county.	726 727 728 729
The Alliance municipal court has jurisdiction within Lexington, Marlboro, Paris, and Washington townships in Stark county.	730 731 732
The Ashland municipal court has jurisdiction within Ashland county.	733 734

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The Ashtabula municipal court has jurisdiction within Ashtabula, Plymouth, and Saybrook townships in Ashtabula county.	735
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The Athens county municipal court has jurisdiction within Athens county.	737
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The Auglaize county municipal court has jurisdiction within Auglaize county.	739
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The Avon Lake municipal court has jurisdiction within the municipal corporations of Avon and Sheffield in Lorain county.	741
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The Barberton municipal court has jurisdiction within Coventry, Franklin, and Green townships, within all of Copley township except within the municipal corporation of Fairlawn, and within the municipal corporations of Clinton and Norton, in Summit county.	743
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The Bedford municipal court has jurisdiction within the municipal corporations of Bedford Heights, Oakwood, Glenwillow, Solon, Bentleyville, Chagrin Falls, Moreland Hills, Orange, Warrensville Heights, North Randall, and Woodmere, and within Warrensville and Chagrin Falls townships, in Cuyahoga county.	748
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The Bellefontaine municipal court has jurisdiction within Logan county.	753
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The Bellevue municipal court has jurisdiction within Lyme and Sherman townships in Huron county and within York township in Sandusky county.	755
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The Berea municipal court has jurisdiction within the municipal corporations of Strongsville, Middleburgh Heights, Brook Park, Westview, and Olmsted Falls, and within Olmsted township, in Cuyahoga county.	758
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The Bowling Green municipal court has jurisdiction within	762

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the municipal corporations of Bairdstown, Bloomdale, Bradner, Custar, Cygnet, Grand Rapids, Haskins, Hoytville, Jerry City, Milton Center, North Baltimore, Pemberville, Portage, Rising Sun, Tontogany, Wayne, West Millgrove, and Weston; within Bloom, Center, Freedom, Grand Rapids, Henry, Jackson, Liberty, Middleton, Milton, Montgomery, Plain, Portage, Washington, Webster, and Weston townships in Wood county; and on and after January 2, 2024, within Perry township in Wood county.	763 764 765 766 767 768 769 770
Beginning February 9, 2003, the Brown county municipal court has jurisdiction within Brown county.	771 772
The Bryan municipal court has jurisdiction within Williams county.	773 774
The Cambridge municipal court has jurisdiction within Guernsey county.	775 776
The Campbell municipal court has jurisdiction within Coitsville township in Mahoning county.	777 778
The Canton municipal court has jurisdiction within Canton, Lake, Nimishillen, Osnaburg, Pike, Plain, and Sandy townships in Stark county.	779 780 781
The Carroll county municipal court has jurisdiction within Carroll county.	782 783
The Celina municipal court has jurisdiction within Mercer county.	784 785
The Champaign county municipal court has jurisdiction within Champaign county.	786 787
The Chardon municipal court has jurisdiction within Geauga county.	788 789

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The Chillicothe municipal court has jurisdiction within Ross county.	790 791
The Circleville municipal court has jurisdiction within Pickaway county.	792 793
The Clark county municipal court has jurisdiction within Clark county.	794 795
The Clermont county municipal court has jurisdiction within Clermont county.	796 797
The Cleveland municipal court has jurisdiction within the municipal corporation of Bratenahl in Cuyahoga county.	798 799
Beginning July 1, 1992, the Clinton county municipal court has jurisdiction within Clinton county.	800 801
The Columbiana county municipal court has jurisdiction within Columbiana county.	802 803
<u>Beginning January 1, 2025, the Conneaut municipal court has jurisdiction within the municipal corporation of North Kingsville, and within Kingsville, Monroe, and Sheffield townships, in Ashtabula county.</u>	804 805 806 807
The Coshocton municipal court has jurisdiction within Coshocton county.	808 809
The Crawford county municipal court has jurisdiction within Crawford county.	810 811
Until December 31, 2008, the Cuyahoga Falls municipal court has jurisdiction within Boston, Hudson, Northfield Center, Sagamore Hills, and Twinsburg townships, and within the municipal corporations of Boston Heights, Hudson, Munroe Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow,	812 813 814 815 816

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Tallmadge, Twinsburg, and Macedonia, in Summit county.	817
Beginning January 1, 2005, the Darke county municipal court has jurisdiction within Darke county except within the municipal corporation of Bradford.	818 819 820
The Defiance municipal court has jurisdiction within Defiance county.	821 822
The Delaware municipal court has jurisdiction within Delaware county.	823 824
The Eaton municipal court has jurisdiction within Preble county.	825 826
The Elyria municipal court has jurisdiction within the municipal corporations of Grafton, LaGrange, and North Ridgeville, and within Elyria, Carlisle, Eaton, Columbia, Grafton, and LaGrange townships, in Lorain county.	827 828 829 830
Beginning January 1, 2008, the Erie county municipal court has jurisdiction within Erie county except within the townships of Florence, Huron, Perkins, and Vermilion and the municipal corporations of Bay View, Castalia, Huron, Sandusky, and Vermilion.	831 832 833 834 835
The Fairborn municipal court has jurisdiction within the municipal corporation of Beavercreek and within Bath and Beavercreek townships in Greene county.	836 837 838
Beginning January 2, 2000, the Fairfield county municipal court has jurisdiction within Fairfield county.	839 840
The Findlay municipal court has jurisdiction, until January 2, 2024, within all of Hancock county except within Washington township, and on and after January 2, 2024, within all of Hancock county.	841 842 843 844

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The Franklin municipal court has jurisdiction within Franklin township in Warren county.	845
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The Franklin county municipal court has jurisdiction within Franklin county.	847
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The Fremont municipal court has jurisdiction within Ballville and Sandusky townships in Sandusky county.	849
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Beginning January 1, 2024, the Fulton county municipal court has jurisdiction within Fulton county.	851
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The Gallipolis municipal court has jurisdiction within Gallia county.	853
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The Garfield Heights municipal court has jurisdiction within the municipal corporations of Maple Heights, Walton Hills, Valley View, Cuyahoga Heights, Newburgh Heights, Independence, and Brecksville in Cuyahoga county.	855
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The Girard municipal court has jurisdiction within Liberty, Vienna, and Hubbard townships in Trumbull county.	859
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The Hamilton municipal court has jurisdiction within Ross and St. Clair townships in Butler county.	861
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The Hamilton county municipal court has jurisdiction within Hamilton county.	863
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The Hardin county municipal court has jurisdiction within Hardin county.	865
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The Hillsboro municipal court has jurisdiction within all of Highland county except within Madison township.	867
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The Hocking county municipal court has jurisdiction within Hocking county.	869
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The Holmes county municipal court has jurisdiction within	871

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Holmes county.	872
The Huron municipal court has jurisdiction within all of Huron township in Erie county except within the municipal corporation of Sandusky.	873
The Ironton municipal court has jurisdiction within Aid, Decatur, Elizabeth, Hamilton, Lawrence, Upper, and Washington townships in Lawrence county.	874
The Jackson county municipal court has jurisdiction within Jackson county.	875
The Kettering municipal court has jurisdiction within the municipal corporations of Centerville and Moraine, and within Washington township, in Montgomery county.	876
Until January 2, 2000, the Lancaster municipal court has jurisdiction within Fairfield county.	877
The Lawrence county municipal court has jurisdiction within the townships of Fayette, Mason, Perry, Rome, Symmes, Union, and Windsor in Lawrence county.	878
The Lebanon municipal court has jurisdiction within Turtlecreek township in Warren county.	879
The Licking county municipal court has jurisdiction within Licking county.	880
The Lima municipal court has jurisdiction within Allen county.	881
The Lorain municipal court has jurisdiction within the municipal corporation of Sheffield Lake, and within Sheffield township, in Lorain county.	882
The Lyndhurst municipal court has jurisdiction within the	883

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municipal corporations of Mayfield Heights, Gates Mills,	899
Mayfield, Highland Heights, and Richmond Heights in Cuyahoga	900
county.	901
The Madison county municipal court has jurisdiction within	902
Madison county.	903
The Mansfield municipal court has jurisdiction within	904
Madison, Springfield, Sandusky, Franklin, Weller, Mifflin, Troy,	905
Washington, Monroe, Perry, Jefferson, and Worthington townships,	906
and within sections 35-36-31 and 32 of Butler township, in	907
Richland county.	908
The Marietta municipal court has jurisdiction within	909
Washington county.	910
The Marion municipal court has jurisdiction within Marion	911
county.	912
The Marysville municipal court has jurisdiction within	913
Union county.	914
The Mason municipal court has jurisdiction within	915
Deerfield township in Warren county.	916
The Massillon municipal court has jurisdiction within	917
Bethlehem, Perry, Sugar Creek, Tuscarawas, Lawrence, and Jackson	918
townships in Stark county.	919
The Maumee municipal court has jurisdiction within the	920
municipal corporations of Waterville and Whitehouse, within	921
Waterville and Providence townships, and within those portions	922
of Springfield, Monclova, and Swanton townships lying south of	923
the northerly boundary line of the Ohio turnpike, in Lucas	924
county.	925
The Medina municipal court has jurisdiction within the	926

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municipal corporations of Briarwood Beach, Brunswick, Chippewa-on-the-Lake, and Spencer and within the townships of Brunswick Hills, Chatham, Granger, Hinckley, Lafayette, Litchfield, Liverpool, Medina, Montville, Spencer, and York townships, in Medina county.	927 928 929 930 931
The Mentor municipal court has jurisdiction within the municipal corporation of Mentor-on-the-Lake in Lake county.	932 933
The Miami county municipal court has jurisdiction within Miami county and within the part of the municipal corporation of Bradford that is located in Darke county.	934 935 936
The Miamisburg municipal court has jurisdiction within the municipal corporations of Germantown and West Carrollton, and within German and Miami townships in Montgomery county.	937 938 939
The Middletown municipal court has jurisdiction within Madison township, and within all of Lemon township, except within the municipal corporation of Monroe, in Butler county.	940 941 942
Beginning July 1, 2010, the Montgomery county municipal court has jurisdiction within all of Montgomery county except for the municipal corporations of Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood, Union, Vandalia, and West Carrollton and Butler, German, Harrison, Miami, and Washington townships.	943 944 945 946 947 948
Beginning January 1, 2003, the Morrow county municipal court has jurisdiction within Morrow county.	949 950
The Mount Vernon municipal court has jurisdiction within Knox county.	951 952
The Napoleon municipal court has jurisdiction within Henry county.	953 954

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The New Philadelphia municipal court has jurisdiction within the municipal corporation of Dover, and within Auburn, Bucks, Fairfield, Goshen, Jefferson, Warren, York, Dover, Franklin, Lawrence, Sandy, Sugarcreek, and Wayne townships in Tuscarawas county.	955 956 957 958 959
The Newton Falls municipal court has jurisdiction within Bristol, Bloomfield, Lordstown, Newton, Braceville, Southington, Farmington, and Mesopotamia townships in Trumbull county.	960 961 962
The Niles municipal court has jurisdiction within the municipal corporation of McDonald, and within Weathersfield township in Trumbull county.	963 964 965
The Norwalk municipal court has jurisdiction within all of Huron county except within the municipal corporation of Bellevue and except within Lyme and Sherman townships.	966 967 968
The Oberlin municipal court has jurisdiction within the municipal corporations of Amherst, Kipton, Rochester, South Amherst, and Wellington, and within Henrietta, Russia, Camden, Pittsfield, Brighton, Wellington, Penfield, Rochester, and Huntington townships, and within all of Amherst township except within the municipal corporation of Lorain, in Lorain county.	969 970 971 972 973 974
The Oregon municipal court has jurisdiction within the municipal corporation of Harbor View, and within Jerusalem township, in Lucas county, and north within Maumee Bay and Lake Erie to the boundary line between Ohio and Michigan between the easterly boundary of the court and the easterly boundary of the Toledo municipal court.	975 976 977 978 979 980
The Ottawa county municipal court has jurisdiction within Ottawa county.	981 982
The Painesville municipal court has jurisdiction within	983

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Painesville, Perry, Leroy, Concord, and Madison townships in Lake county.	984
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The Parma municipal court has jurisdiction within the municipal corporations of Parma Heights, Brooklyn, Linndale, North Royalton, Broadview Heights, Seven Hills, and Brooklyn Heights in Cuyahoga county.	986
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Beginning January 1, 2018, the Perry county municipal court has jurisdiction within Perry county.	990
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Beginning January 1, 2020, the Paulding county municipal court has jurisdiction within Paulding county.	992
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The Perrysburg municipal court has jurisdiction within the municipal corporations of Luckey, Millbury, Northwood, Rossford, and Walbridge, and within Perrysburg, Lake, and Troy townships, in Wood county.	994
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The Portage county municipal court has jurisdiction within Portage county.	998
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The Portsmouth municipal court has jurisdiction within Scioto county.	1000
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The Putnam county municipal court has jurisdiction within Putnam county.	1002
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The Rocky River municipal court has jurisdiction within the municipal corporations of Bay Village, Westlake, Fairview Park, and North Olmsted, and within Riveredge township, in Cuyahoga county.	1004
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The Sandusky municipal court has jurisdiction within the municipal corporations of Castalia and Bay View, and within Perkins township, in Erie county.	1008
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The Shaker Heights municipal court has jurisdiction within
the municipal corporations of University Heights, Beachwood,
Pepper Pike, and Hunting Valley in Cuyahoga county. 1011
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The Shelby municipal court has jurisdiction within Sharon,
Jackson, Cass, Plymouth, and Blooming Grove townships, and
within all of Butler township except sections 35-36-31 and 32,
in Richland county. 1014
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The Sidney municipal court has jurisdiction within Shelby
county. 1018
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Beginning January 1, 2009, the Stow municipal court has
jurisdiction within Boston, Hudson, Northfield Center, Sagamore
Hills, and Twinsburg townships, and within the municipal
corporations of Boston Heights, Cuyahoga Falls, Hudson, Munroe
Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow,
Tallmadge, Twinsburg, and Macedonia, in Summit county. 1020
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The Struthers municipal court has jurisdiction within the
municipal corporations of Lowellville, New Middleton, and
Poland, and within Poland and Springfield townships in Mahoning
county. 1026
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The Sylvania municipal court has jurisdiction within the
municipal corporations of Berkey and Holland, and within
Sylvania, Richfield, Spencer, and Harding townships, and within
those portions of Swanton, Monclova, and Springfield townships
lying north of the northerly boundary line of the Ohio turnpike,
in Lucas county. 1030
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Beginning January 1, 2014, the Tiffin-Fostoria municipal
court has jurisdiction within Adams, Big Spring, Bloom, Clinton,
Eden, Hopewell, Jackson, Liberty, Loudon, Pleasant, Reed,
Scipio, Seneca, Thompson, and Venice townships in Seneca county, 1036
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and beginning on January 1, 2014, and until January 2, 2024, has jurisdiction within Washington township in Hancock county, and within Perry township, except within the municipal corporation of West Millgrove, in Wood county.	1040 1041 1042 1043
The Toledo municipal court has jurisdiction within Washington township, and within the municipal corporation of Ottawa Hills, in Lucas county.	1044 1045 1046
The Upper Sandusky municipal court has jurisdiction within Wyandot county.	1047 1048
The Vandalia municipal court has jurisdiction within the municipal corporations of Clayton, Englewood, and Union, and within Butler, Harrison, and Randolph townships, in Montgomery county.	1049 1050 1051 1052
The Van Wert municipal court has jurisdiction within Van Wert county.	1053 1054
The Vermilion municipal court has jurisdiction within the townships of Vermilion and Florence in Erie county and within all of Brownhelm township except within the municipal corporation of Lorain, in Lorain county.	1055 1056 1057 1058
The Wadsworth municipal court has jurisdiction within the municipal corporations of Gloria Glens Park, Lodi, Seville, and Westfield Center, and within Guilford, Harrisville, Homer, Sharon, Wadsworth, and Westfield townships in Medina county.	1059 1060 1061 1062
The Warren municipal court has jurisdiction within Warren and Champion townships, and within all of Howland township except within the municipal corporation of Niles, in Trumbull county.	1063 1064 1065 1066
The Washington Court House municipal court has	1067

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jurisdiction within Fayette county.	1068
The Wayne county municipal court has jurisdiction within Wayne county.	1069 1070
The Willoughby municipal court has jurisdiction within the municipal corporations of Eastlake, Wickliffe, Willowick, Willoughby Hills, Kirtland, Kirtland Hills, Waite Hill, Timberlake, and Lakeline, and within Kirtland township, in Lake county.	1071 1072 1073 1074 1075
Through June 30, 1992, the Wilmington municipal court has jurisdiction within Clinton county.	1076 1077
The Xenia municipal court has jurisdiction within Caesarcreek, Cedarville, Jefferson, Miami, New Jasper, Ross, Silvercreek, Spring Valley, Sugarcreek, and Xenia townships in Greene county.	1078 1079 1080 1081
(C) As used in this section:	1082
(1) "Within a township" includes all land, including, but not limited to, any part of any municipal corporation, that is physically located within the territorial boundaries of that township, whether or not that land or municipal corporation is governmentally a part of the township.	1083 1084 1085 1086 1087
(2) "Within a municipal corporation" includes all land within the territorial boundaries of the municipal corporation and any townships that are coextensive with the municipal corporation.	1088 1089 1090 1091
Sec. 1901.123. (A) (1) Subject to reimbursement under division (B) of this section, the treasurer of the county in which a county-operated municipal court or other municipal court is located shall pay the per diem compensation to which an	1092 1093 1094 1095

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acting judge appointed pursuant to division (A) (2) (a), (B) (1),
 or (C) (1) of section 1901.121 of the Revised Code is entitled
 pursuant to division (A) (1) of section 1901.122 of the Revised
 Code. 1096
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(2) The treasurer of the county in which a county-operated
 municipal court or other municipal court is located shall pay
 the per diem compensation to which an assigned judge assigned
 pursuant to division (A) (1), (A) (2) (b), (B) (2), (C) (2), or (D)
 of section 1901.121 of the Revised Code is entitled pursuant to
 division (B) (1) or (4) of section 1901.122 of the Revised Code. 1100
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(3) Subject to reimbursement under division (B) of this
 section, the treasurer of the county in which a county-operated
 municipal court or other municipal court is located shall pay
 the per diem compensation to which an assigned judge assigned
 pursuant to division (A) (1), (A) (2) (b), (B) (2), (C) (2), or (D)
 of section 1901.121 of the Revised Code is entitled pursuant to
 division (B) (2) of section 1901.122 of the Revised Code. 1106
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(4) Subject to reimbursement under division (C) of this
 section, the supreme court shall pay the per diem compensation
 to which an assigned judge assigned pursuant to division (A) (1),
 (A) (2) (b), (B) (2), (C) (2), or (D) of section 1901.121 of the
 Revised Code is entitled pursuant to division (B) (3) of section
 1901.122 of the Revised Code. 1113
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(B) ~~The treasurer of a~~ county that, pursuant to division
 (A) (1) or (3) of this section, is required to pay the per diem
 compensation to which an acting judge or assigned judge is
 entitled, shall submit to the administrative director of the
 supreme court quarterly requests for reimbursements of the state
 portion of the per diem amounts so paid. The requests shall
 include verifications of the payment of those amounts and an 1119
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affidavit from the acting judge or assigned judge stating the 1126
 days and hours worked. The administrative director shall cause 1127
 reimbursements of the state portion of the per diem amounts paid 1128
 to be issued to the county if the administrative director 1129
 verifies that those amounts were, in fact, so paid. If the 1130
county fails to submit a request within one year after the per 1131
diem compensation was paid, the administrative director shall 1132
refuse to cause reimbursement to be issued. 1133

(C) If the supreme court, pursuant to division (A) (4) of 1134
 this section, is required to pay the per diem compensation to 1135
 which an assigned judge is entitled, annually, on the first day 1136
 of August, the administrative director of the supreme court 1137
 shall issue a billing to the county treasurer of any county to 1138
 which such a judge was assigned to a municipal court for 1139
 reimbursement of the county or local portion of the per diem 1140
 compensation previously paid by the supreme court for the 1141
 twelve-month period preceding the last day of June. The county 1142
 or local portion of the per diem compensation shall be that part 1143
 of each per diem paid by the state which is proportional to the 1144
 county or local shares of the total compensation of a resident 1145
 judge of such court. The county treasurer shall forward the 1146
 payment within thirty days. After forwarding the payment, the 1147
 county treasurer shall seek reimbursement from the applicable 1148
 local municipalities as appropriate. 1149

Sec. 1901.261. (A) (1) A municipal court may determine that 1150
 for the efficient operation of the court additional funds are 1151
 required to computerize the court, to make available 1152
 computerized legal research services, or to do both. Upon making 1153
 a determination that additional funds are required for either or 1154
 both of those purposes, the court shall include in its schedule 1155
 of fees and costs under section 1901.26 of the Revised Code one 1156

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additional fee not to exceed three dollars on the filing of each cause of action or appeal equivalent to one described in division (A), (Q), or (U) of section 2303.20 of the Revised Code and shall direct the clerk of the court to charge the fee.

(2) All fees collected under this section shall be paid on or before the twentieth day of the month following the month in which they are collected to the county treasurer if the court is a county-operated municipal court or to the city treasurer if the court is not a county-operated municipal court. The treasurer shall place the funds from the fees in a separate fund to be disbursed upon an order of the court, subject to an appropriation by the board of county commissioners if the court is a county-operated municipal court or by the legislative authority of the municipal corporation if the court is not a county-operated municipal court, or upon an order of the court, subject to the court making an annual report available to the public listing the use of all such funds, in an amount not greater than the actual cost to the court of computerizing the court, procuring and maintaining computerized legal research services, or both.

(3) If the court determines that the funds in the fund described in division (A) (2) of this section are more than sufficient to satisfy the purpose for which the additional fee described in division (A) (1) of this section was imposed, the court may declare a surplus in the fund and, subject to an appropriation by the board of county commissioners if the court is a county-operated municipal court or by the legislative authority of the municipal corporation if the court is not a county-operated municipal court, expend those surplus funds, or upon an order of the court, subject to the court making an annual report available to the public listing the use of all

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such funds, expend those surplus funds, for other appropriate
 technological expenses of the court.

~~(B) (1) A(B) (1) (a) Except as provided in division (B) (1) (b)~~ 1188
of this section, the clerk of a municipal court may determine 1189
that, for the efficient operation of the office of the clerk of 1190
the municipal court, additional funds are required to 1191
computerize the office of the clerk of the court and, upon that 1192
determination, may include in its schedule of fees and costs 1193
under section 1901.26 of the Revised Code an additional 1194
authorize and direct that a computerization fee not to exceed 1195
ten twenty dollars be charged on the filing of each cause of 1196
action or appeal, on the filing, docketing, and endorsing of 1197
each certificate of judgment, or on the docketing and indexing 1198
of each aid in execution or petition to vacate, revive, or 1199
modify a judgment that is equivalent to one described in 1200
division (A), (P), (Q), (T), or (U) of section 2303.20 of the 1201
Revised Code. 1202

(b) In a county in which the clerk of the municipal court 1203
is appointed, the municipal court may make the determination 1204
described in division (B) (1) (a) of this section and, upon that 1205
determination, may include such a computerization fee in its 1206
schedule of fees and costs under section 1901.26 of the Revised 1207
Code. 1208

(2) Subject to division (B) (2) (B) (3) of this section, all 1209
moneys collected under division (B) (1) (B) (1) (a) of this section 1210
shall be paid on or before the twentieth day of the month 1211
following the month in which they are collected to the county 1212
treasurer if the court is a county-operated municipal court or 1213
to the city treasurer if the court is not a county-operated 1214
municipal court. The treasurer shall place the funds from the 1215

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fees in a separate fund to be disbursed, ~~upon an order of the municipal court and subject to an appropriation made by the board of county commissioners if the court is a county-operated municipal court or by the legislative authority of the municipal corporation if the court is not a county-operated municipal court, in an amount no greater than the actual cost to the court of procuring and maintaining computer systems for the office of the clerk of the municipal court.~~ 1218
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~~(2)(3) If a municipal court or the clerk of a municipal court makes the determination described in division (B)(1)(B)(1)(a) of this section, the board of county commissioners of the county if the court is a county-operated municipal court or the legislative authority of the municipal corporation if the court is not a county-operated municipal court, may issue one or more general obligation bonds for the purpose of procuring and maintaining the computer systems for the office of the clerk of the municipal court. In addition to the purposes stated in division (B)(1)(B)(1)(a) of this section for which the moneys collected under that division may be expended, the moneys additionally may be expended to pay debt charges and financing costs related to any general obligation bonds issued pursuant to division (B)(2)(B)(3) of this section as they become due.~~ 1226
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 General obligation bonds issued pursuant to division (B)(2)(B)(3) of this section are Chapter 133. securities.

Sec. 1901.313. (A) Beginning not later than two hundred seventy days after the effective date of this section, pleadings or documents may be filed with the clerk of court either in paper format or in electronic format. 1242
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(B) (1) The clerk shall determine whether the filing of pleadings or documents in electronic format may be accomplished 1246
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either by electronic mail or through the use of an online 1248
platform. 1249

(2) The fee for filing pleadings or documents in 1250
electronic format may be paid after the filing. The clerk shall 1251
not require that any fee for the filing of pleadings or 1252
documents in electronic format be paid before the filing, unless 1253
the clerk has provided for an electronic payment system for such 1254
filings. 1255

(3) The clerk shall not require a fee for the filing of 1256
pleadings or documents in electronic format that is greater than 1257
the applicable fee for the filing of pleadings or documents in 1258
paper format. 1259

(C) Pleadings and documents filed in paper format may be 1260
converted to an electronic format. Documents created by the 1261
clerk of court in the exercise of the clerk's duties may be 1262
created in an electronic format. 1263

(D) When pleadings or documents are received or created 1264
in, or converted to, an electronic format as provided in this 1265
section, the pleadings or documents in that format shall be 1266
considered the official version of the record. 1267

Sec. 1907.11. (A) Each county court district shall have 1268
 the following county court judges, to be elected as follows: 1269

In the Adams county county court, one part-time judge 1270
 shall be elected in 1982. 1271

In Until December 31, 2030, in the Ashtabula county county 1272
 court, one part-time judge shall be elected in 1980, and one 1273
 part-time judge shall be elected in 1982. Notwithstanding any 1274
contrary provision of division (C) of section 1907.13 of the 1275
Revised Code, the part-time judge to be elected in 2028 shall be 1276

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elected for a term of two years commencing on January 1, 2029, 1277
and ending on December 31, 2030. The Ashtabula county county 1278
court part-time judgeships cease to exist on January 1, 2031. 1279
One full-time judge shall be elected in 2030, for a six-year 1280
term to commence on January 1, 2031. Effective January 1, 2031, 1281
notwithstanding division (A) (6) of section 141.04 of the Revised 1282
Code and division (A) of section 1907.16 of the Revised Code, 1283
the full-time judge of the Ashtabula county county court under 1284
this section shall receive the compensation set forth in 1285
division (A) (5) of section 141.04 of the Revised Code. 1286

In the Belmont county county court, one part-time judge 1287
shall be elected in 1992, term to commence on January 1, 1993, 1288
and two part-time judges shall be elected in 1994, terms to 1289
commence on January 1, 1995, and January 2, 1995, respectively. 1290

In the Butler county county court, one part-time judge 1291
shall be elected in 1992, term to commence on January 1, 1993, 1292
and two part-time judges shall be elected in 1994, terms to 1293
commence on January 1, 1995, and January 2, 1995, respectively. 1294

Until December 31, 2007, in the Erie county county court, 1295
one part-time judge shall be elected in 1982. Effective January 1296
1, 2008, the Erie county county court shall cease to exist. 1297

In the Harrison county county court, one part-time judge 1298
shall be elected in 1982. 1299

In the Highland county county court, one part-time judge 1300
shall be elected in 1982. 1301

In the Jefferson county county court, one part-time judge 1302
shall be elected in 1992, term to commence on January 1, 1993, 1303
and two part-time judges shall be elected in 1994, terms to 1304
commence on January 1, 1995, and January 2, 1995, respectively. 1305

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In the Mahoning county county court, one part-time judge shall be elected in 1992, term to commence on January 1, 1993, and three part-time judges shall be elected in 1994, terms to commence on January 1, 1995, January 2, 1995, and January 3, 1995, respectively.	1306 1307 1308 1309 1310
In the Meigs county county court, one part-time judge shall be elected in 1982.	1311 1312
In the Monroe county county court, one part-time judge shall be elected in 1982.	1313 1314
In the Morgan county county court, one part-time judge shall be elected in 1982.	1315 1316
In the Muskingum county county court, one part-time judge shall be elected in 1980, and one part-time judge shall be elected in 1982.	1317 1318 1319
In the Noble county county court, one part-time judge shall be elected in 1982.	1320 1321
In the Pike county county court, one part-time judge shall be elected in 1982.	1322 1323
In the Sandusky county county court, one full-time judge shall be elected in 2024, term to commence on January 2, 2025. Effective January 2, 2025, notwithstanding division (A)(6) of section 141.04 of the Revised Code and division (A) of section 1907.16 of the Revised Code, the full-time judge of the Sandusky county court under this section shall receive the compensation set forth in division (A)(5) of section 141.04 of the Revised Code.	1324 1325 1326 1327 1328 1329 1330 1331
In the Trumbull county county court, one part-time judge shall be elected in 1992, and one part-time judge shall be	1332 1333

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elected in 1994.	1334
In the Tuscarawas county county court, one part-time judge shall be elected in 1982.	1335 1336
In the Vinton county county court, one part-time judge shall be elected in 1982.	1337 1338
In the Warren county county court, one part-time judge shall be elected in 1980, and one part-time judge shall be elected in 1982.	1339 1340 1341
(B) (1) Additional judges shall be elected at the next regular election for a county court judge as provided in section 1907.13 of the Revised Code.	1342 1343 1344
(2) Vacancies caused by the death or the resignation from, forfeiture of, or removal from office of a judge shall be filled in accordance with section 107.08 of the Revised Code, except as provided in section 1907.15 of the Revised Code.	1345 1346 1347 1348
Sec. 1907.143. (A) (1) Subject to reimbursement under division (B) of this section, the treasurer of the county in which a county court is located shall pay the per diem compensation to which an acting judge appointed pursuant to division (A) (2) (a), (B) (1), or (C) (1) of section 1907.141 of the Revised Code is entitled pursuant to division (A) of section 1907.142 of the Revised Code.	1349 1350 1351 1352 1353 1354 1355
(2) The treasurer of the county in which a county court is located shall pay the per diem compensation to which an assigned judge assigned pursuant to division (A) (1), (A) (2) (b), (B) (2), or (C) (2) of section 1907.141 of the Revised Code is entitled pursuant to division (B) (1) or (4) of section 1907.142 of the Revised Code.	1356 1357 1358 1359 1360 1361

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(3) Subject to reimbursement under division (B) of this section, the treasurer of the county in which a county court is located shall pay the per diem compensation to which an assigned judge assigned pursuant to division (A) (1), (A) (2) (b), (B) (2), or (C) (2) of section 1907.141 of the Revised Code is entitled pursuant to division (B) (2) of section 1907.142 of the Revised Code. 1362
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(4) Subject to reimbursement under division (C) of this section, the supreme court shall pay the per diem compensation to which an assigned judge assigned pursuant to division (A) (1), (A) (2) (b), (B) (2), or (C) (2) of section 1907.141 of the Revised Code is entitled pursuant to division (B) (3) of section 1907.142 of the Revised Code. 1369
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(B) ~~The treasurer of a~~^A county that, pursuant to division (A) (1) or (3) of this section, is required to pay the per diem compensation to which an acting judge or assigned judge is entitled, shall submit to the administrative director of the supreme court quarterly requests for reimbursements of the state portion of the per diem amounts so paid. The requests shall include verifications of the payment of those amounts and an affidavit from the acting judge or assigned judge stating the days and hours worked. The administrative director shall cause reimbursements of the state portion of the per diem amounts paid to be issued to the county if the administrative director verifies that those amounts were, in fact, so paid. If the county fails to submit a request within one year after the per diem compensation was paid, the administrative director shall refuse to cause reimbursement to be issued. 1375
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(C) If the supreme court, pursuant to division (A) (4) of this section, is required to pay the per diem compensation to 1390
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which an assigned judge is entitled, annually, on the first day 1392
of August, the administrative director of the supreme court 1393
shall issue a billing to the county treasurer of any county to 1394
which such a judge was assigned to a county court for 1395
reimbursement of the county portion of the per diem compensation 1396
previously paid by the supreme court for the twelve-month period 1397
preceding the last day of June. The county portion of the per 1398
diem compensation shall be that part of each per diem paid by 1399
the state which is proportional to the county shares of the 1400
total compensation of a resident judge of such court. The county 1401
treasurer shall forward the payment within thirty days. After 1402
forwarding the payment, the county treasurer shall seek 1403
reimbursement from the applicable local municipalities as 1404
appropriate. 1405

Sec. 1907.202. (A) Beginning not later than two hundred 1406
seventy days after the effective date of this section, pleadings 1407
or documents may be filed with the clerk of the county court 1408
either in paper format or in electronic format. 1409

(B) (1) The clerk shall determine whether the filing of 1410
pleadings or documents in electronic format may be accomplished 1411
either by electronic mail or through the use of an online 1412
platform. 1413

(2) The fee for filing pleadings or documents in 1414
electronic format may be paid after the filing. The clerk shall 1415
not require that any fee for the filing of pleadings or 1416
documents in electronic format be paid before the filing, unless 1417
the clerk has provided for an electronic payment system for such 1418
filing. 1419

(3) The clerk shall not require a fee for the filing of 1420
pleadings or documents in electronic format that is greater than 1421

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the applicable fee for the filing of pleadings or documents in paper format.

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(C) Pleadings and documents filed in paper format may be converted to an electronic format. Documents created by the clerk of the county court in the exercise of the clerk's duties may be created in an electronic format.

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(D) When pleadings or documents are received or created in, or converted to, an electronic format as provided in this section, the pleadings or documents in that format shall be considered the official version of the record.

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Sec. 1907.261. (A) (1) A county court may determine that for the efficient operation of the court additional funds are required to computerize the court, to make available computerized legal research services, or to do both. Upon making a determination that additional funds are required for either or both of those purposes, the court shall include in its schedule of fees and costs under section 1907.24 of the Revised Code one additional fee not to exceed three dollars on the filing of each cause of action or appeal equivalent to one described in division (A), (Q), or (U) of section 2303.20 of the Revised Code and shall direct the clerk of the court to charge the fee.

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(2) All fees collected under this section shall be paid on or before the twentieth day of the month following the month in which they are collected to the county treasurer. The treasurer shall place the funds from the fees in a separate fund to be disbursed either upon an order of the court, subject to an appropriation by the board of county commissioners, or upon an order of the court, subject to the court making an annual report available to the public listing the use of all such funds, in an amount not greater than the actual cost to the court of

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computerizing the court, procuring and maintaining computerized
legal research services, or both. 1452
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(3) If the court determines that the funds in the fund
described in division (A) (2) of this section are more than
sufficient to satisfy the purpose for which the additional fee
described in division (A) (1) of this section was imposed, the
court may declare a surplus in the fund and, subject to an
appropriation by the board of county commissioners, expend those
surplus funds, or upon an order of the court, subject to the
court making an annual report available to the public listing
the use of all such funds, expend those surplus funds, for other
appropriate technological expenses of the court. 1454
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~~(B) (1) A(B) (1) (a) Except as provided in division (B) (1) (b)~~ 1464
of this section, the clerk of a county court may determine that, 1465
for the efficient operation of the office of the clerk of the 1466
court, additional funds are required to computerize the office 1467
of the clerk of the court and, upon that determination, may 1468
~~include in its schedule of fees and costs under section 1907.24~~ 1469
~~of the Revised Code an additional authorize and direct that a~~ 1470
computerization fee not to exceed ten twenty dollars be charged 1471
on the filing of each cause of action or appeal, on the filing, 1472
docketing, and endorsing of each certificate of judgment, or on 1473
the docketing and indexing of each aid in execution or petition 1474
to vacate, revive, or modify a judgment that is equivalent to 1475
one described in division (A), (P), (Q), (T), or (U) of section 1476
2303.20 of the Revised Code. 1477

(b) In a county in which the clerk of the county court is 1478
appointed, the county court may make the determination described 1479
in division (B) (1) (a) of this section and, upon that 1480
determination, may include such a computerization fee in its 1481

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schedule of fees and costs under section 1907.24 of the Revised 1482
Code. 1483

(2) Subject to division ~~(B)(2)(B)(3)~~ of this section, all 1484
 moneys collected under division ~~(B)(1)(B)(1)(a)~~ of this section 1485
 shall be paid on or before the twentieth day of the month 1486
 following the month in which they are collected to the county 1487
 treasurer. The treasurer shall place the funds from the fees in 1488
 a separate fund to be disbursed, ~~upon an order of the county~~ 1489
~~court and subject to an appropriation made by~~ the board of 1490
 county commissioners, in an amount no greater than the actual 1491
 cost to the court of procuring and maintaining computer systems 1492
 for the office of the clerk of the county court. 1493

~~(2)(3)~~ If a county court or the clerk of a county court 1494
 makes the determination described in division ~~(B)(1)(B)(1)(a)~~ of 1495
 this section, the board of county commissioners of that county 1496
 may issue one or more general obligation bonds for the purpose 1497
 of procuring and maintaining the computer systems for the office 1498
 of the clerk of the county court. In addition to the purposes 1499
 stated in division ~~(B)(1)(B)(1)(a)~~ of this section for which the 1500
 moneys collected under that division may be expended, the moneys 1501
 additionally may be expended to pay debt charges and financing 1502
 costs related to any general obligation bonds issued pursuant to 1503
 division ~~(B)(2)(B)(3)~~ of this section as they become due. 1504
 General obligation bonds issued pursuant to division ~~(B)(2)(B)~~ 1505
~~(3)~~ of this section are Chapter 133. securities. 1506

Sec. 2303.081. (A) Pleadings or documents may be filed 1507
 with the clerk of court either in paper format or in electronic 1508
 format. 1509

(B) (1) The clerk shall determine whether the filing of 1510
pleadings or documents in electronic format may be accomplished 1511

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either by electronic mail or through the use of an online 1512
platform. 1513

(2) The fee for filing pleadings or documents in 1514
electronic format may be paid after the filing. The clerk shall 1515
not require that any fee for the filing of pleadings or 1516
documents in electronic format be paid before the filing, unless 1517
the clerk has provided for an electronic payment system for such 1518
filings. 1519

(3) The clerk shall not require a fee for the filing of 1520
pleadings or documents in electronic format that is greater than 1521
the applicable fee for the filing of pleadings or documents in 1522
paper format. 1523

(4) Divisions (B) (1), (2), and (3) of this section do not 1524
apply to the filing of pleadings or documents in a probate court 1525
or juvenile court. 1526

(C) Pleadings and documents filed in paper format may be 1527
converted to an electronic format. Documents created by the 1528
clerk of court in the exercise of the clerk's duties may be 1529
created in an electronic format. 1530

(B)—(D) When pleadings or documents are received or 1531
created in, or converted to, an electronic format as provided in 1532
division (A) of this section, the pleadings or documents in that 1533
format shall be considered the official version of the record. 1534

Sec. 2303.201. (A) (1) The court of common pleas of any 1535
 county may determine that for the efficient operation of the 1536
 court additional funds are required to computerize the court, to 1537
 make available computerized legal research services, or to do 1538
 both. Upon making a determination that additional funds are 1539
 required for either or both of those purposes, the court shall 1540

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authorize and direct the clerk of the court of common pleas to
 charge one additional fee, not to exceed six dollars, on the
 filing of each cause of action or appeal under divisions (A),
 (Q), and (U) of section 2303.20 of the Revised Code.

(2) All fees collected under division (A)(1) of this
 section shall be paid to the county treasurer. The treasurer
 shall place the funds from the fees in a separate fund to be
 disbursed either upon an order of the court, subject to an
 appropriation by the board of county commissioners, or upon an
 order of the court, subject to the court making an annual report
 available to the public listing the use of all such funds, in an
 amount not greater than the actual cost to the court of
 procuring and maintaining computerization of the court,
 computerized legal research services, or both.

(3) If the court determines that the funds in the fund
 described in division (A)(2) of this section are more than
 sufficient to satisfy the purpose for which the additional fee
 described in division (A)(1) of this section was imposed, the
 court may declare a surplus in the fund and, subject to an
 appropriation by the board of county commissioners, expend those
 surplus funds, or upon an order of the court, subject to the
 court making an annual report available to the public listing
 the use of all such funds, expend those surplus funds, for other
 appropriate technological expenses of the court.

(B) (1) The (B) (1) (a) Except as provided in division (B) (1)
(b) of this section, the clerk of the court of common pleas of
 any county may determine that, for the efficient operation of
the office of the clerk of the court of common pleas, additional
 funds are required to make technological advances in or to
 computerize the office of the clerk of the court of common pleas

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and, upon that determination, authorize and direct ~~the clerk of~~
~~the court of common pleas to charge that~~ an additional fee, not
 to exceed twenty dollars, on the filing of each cause of action
 or appeal, on the filing, docketing, and endorsing of each
 certificate of judgment, or on the docketing and indexing of
 each aid in execution or petition to vacate, revive, or modify a
 judgment under divisions (A), (P), (Q), (T), and (U) of section
 2303.20 of the Revised Code and not to exceed one dollar each
 for the services described in divisions (B), (C), (D), (F), (H),
 and (L) of section 2303.20 of the Revised Code, be charged.

(b) In a county in which the clerk of the court of common
pleas is appointed, the court may make the determination
described in division (B)(1)(a) of this section and, upon that
determination, may include such a computerization fee in its
schedule of fees and costs.

(2) Subject to division ~~(B)(2)~~(B)(3) of this section, all
 moneys collected under division ~~(B)(1)~~(B)(1)(a) of this section
 shall be paid to the county treasurer to be disbursed, ~~upon an~~
~~order of the court of common pleas and subject to an~~
appropriation made by the board of county commissioners, in an
 amount no greater than the actual cost to the court of procuring
 and maintaining technology and computer systems for the office
 of the clerk of the court of common pleas.

~~(2)~~(3) If the court of common pleas or the clerk of the
 court of common pleas of a county makes the determination
 described in division ~~(B)(1)~~(B)(1)(a) of this section, the board
 of county commissioners of that county may issue one or more
 general obligation bonds for the purpose of procuring and
 maintaining the technology and computer systems for the office
 of the clerk of the court of common pleas. In addition to the

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purposes stated in division ~~(B)(1)(B)(1)(a)~~ of this section for which the moneys collected under that division may be expended, the moneys additionally may be expended to pay debt charges on and financing costs related to any general obligation bonds issued pursuant to division ~~(B)(2)(B)(3)~~ of this section as they become due. General obligation bonds issued pursuant to division ~~(B)(2)(B)(3)~~ of this section are Chapter 133. securities.

(C) The court of common pleas shall collect the sum of twenty-six dollars as additional filing fees in each new civil action or proceeding for the charitable public purpose of providing financial assistance to legal aid societies that operate within the state and to support the office of the state public defender. This division does not apply to a juvenile division of a court of common pleas, except that an additional filing fee of fifteen dollars shall apply to custody, visitation, and parentage actions; to a probate division of a court of common pleas, except that the additional filing fees shall apply to name change, guardianship, adoption, and decedents' estate proceedings; or to an execution on a judgment, proceeding in aid of execution, or other post-judgment proceeding arising out of a civil action. The filing fees required to be collected under this division shall be in addition to any other filing fees imposed in the action or proceeding and shall be collected at the time of the filing of the action or proceeding. The court shall not waive the payment of the additional filing fees in a new civil action or proceeding unless the court waives the advanced payment of all filing fees in the action or proceeding. All such moneys collected during a month except for an amount equal to up to one per cent of those moneys retained to cover administrative costs shall be transmitted on or before the twentieth day of the

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following month by the clerk of the court to the treasurer of state in a manner prescribed by the treasurer of state or by the Ohio access to justice foundation. The treasurer of state shall deposit four per cent of the funds collected under this division to the credit of the civil case filing fee fund established under section 120.07 of the Revised Code and ninety-six per cent of the funds collected under this division to the credit of the legal aid fund established under section 120.52 of the Revised Code. 1632
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The court may retain up to one per cent of the moneys it collects under this division to cover administrative costs, including the hiring of any additional personnel necessary to implement this division. If the court fails to transmit to the treasurer of state the moneys the court collects under this division in a manner prescribed by the treasurer of state or by the Ohio access to justice foundation, the court shall forfeit the moneys the court retains under this division to cover administrative costs, including the hiring of any additional personnel necessary to implement this division, and shall transmit to the treasurer of state all moneys collected under this division, including the forfeited amount retained for administrative costs, for deposit in the legal aid fund. 1641
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(D) On and after the thirtieth day after December 9, 1994, the court of common pleas shall collect the sum of thirty-two dollars as additional filing fees in each new action or proceeding for annulment, divorce, or dissolution of marriage for the purpose of funding shelters for victims of domestic violence pursuant to sections 3113.35 to 3113.39 of the Revised Code. The filing fees required to be collected under this division shall be in addition to any other filing fees imposed in the action or proceeding and shall be collected at the time 1654
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of the filing of the action or proceeding. The court shall not 1663
 waive the payment of the additional filing fees in a new action 1664
 or proceeding for annulment, divorce, or dissolution of marriage 1665
 unless the court waives the advanced payment of all filing fees 1666
 in the action or proceeding. On or before the twentieth day of 1667
 each month, all moneys collected during the immediately 1668
 preceding month pursuant to this division shall be deposited by 1669
 the clerk of the court into the county treasury in the special 1670
 fund used for deposit of additional marriage license fees as 1671
 described in section 3113.34 of the Revised Code. Upon their 1672
 deposit into the fund, the moneys shall be retained in the fund 1673
 and expended only as described in section 3113.34 of the Revised 1674
 Code. 1675

(E) (1) The court of common pleas may determine that, for 1676
 the efficient operation of the court, additional funds are 1677
 necessary to acquire and pay for special projects of the court, 1678
 including, but not limited to, the acquisition of additional 1679
 facilities or the rehabilitation of existing facilities, the 1680
 acquisition of equipment, the hiring and training of staff, 1681
 community service programs, mediation or dispute resolution 1682
 services, the employment of magistrates, the training and 1683
 education of judges, acting judges, and magistrates, and other 1684
 related services. Upon that determination, the court by rule may 1685
 charge a fee, in addition to all other court costs, on the 1686
 filing of each criminal cause, civil action or proceeding, or 1687
 judgment by confession. 1688

If the court of common pleas offers or requires a special 1689
 program or additional services in cases of a specific type, the 1690
 court by rule may assess an additional charge in a case of that 1691
 type, over and above court costs, to cover the special program 1692
 or service. The court shall adjust the special assessment 1693

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periodically, but not retroactively, so that the amount assessed 1694
 in those cases does not exceed the actual cost of providing the 1695
 service or program. 1696

All moneys collected under division (E) of this section 1697
 shall be paid to the county treasurer for deposit into either a 1698
 general special projects fund or a fund established for a 1699
 specific special project. Moneys from a fund of that nature 1700
 shall be disbursed upon an order of the court, subject to an 1701
 appropriation by the board of county commissioners, in an amount 1702
 no greater than the actual cost to the court of a project. If a 1703
 specific fund is terminated because of the discontinuance of a 1704
 program or service established under division (E) of this 1705
 section, the court may order, subject to an appropriation by the 1706
 board of county commissioners, that moneys remaining in the fund 1707
 be transferred to an account established under this division for 1708
 a similar purpose. 1709

(2) As used in division (E) of this section: 1710

(a) "Criminal cause" means a charge alleging the violation 1711
 of a statute or ordinance, or subsection of a statute or 1712
 ordinance, that requires a separate finding of fact or a 1713
 separate plea before disposition and of which the defendant may 1714
 be found guilty, whether filed as part of a multiple charge on a 1715
 single summons, citation, or complaint or as a separate charge 1716
 on a single summons, citation, or complaint. "Criminal cause" 1717
 does not include separate violations of the same statute or 1718
 ordinance, or subsection of the same statute or ordinance, 1719
 unless each charge is filed on a separate summons, citation, or 1720
 complaint. 1721

(b) "Civil action or proceeding" means any civil 1722
 litigation that must be determined by judgment entry. 1723

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Sec. 2505.02. (A) As used in this section:	1724
(1) "Substantial right" means a right that the United States Constitution, the Ohio Constitution, a statute, the common law, or a rule of procedure entitles a person to enforce or protect.	1725 1726 1727 1728
(2) "Special proceeding" means an action or proceeding that is specially created by statute and that prior to 1853 was not denoted as an action at law or a suit in equity.	1729 1730 1731
(3) "Provisional remedy" means a proceeding ancillary to an action, including, but not limited to, a proceeding for a preliminary injunction, attachment, discovery of privileged matter, suppression of evidence, a prima-facie showing pursuant to section 2307.85 or 2307.86 of the Revised Code, a prima-facie showing pursuant to section 2307.92 of the Revised Code, or a finding made pursuant to division (A)(3) of section 2307.93 of the Revised Code.	1732 1733 1734 1735 1736 1737 1738 1739
(B) An order is a final order that may be reviewed, affirmed, modified, or reversed, with or without retrial, when it is one of the following:	1740 1741 1742
(1) An order that affects a substantial right in an action that in effect determines the action and prevents a judgment;	1743 1744
(2) An order that affects a substantial right made in a special proceeding or upon a summary application in an action after judgment;	1745 1746 1747
(3) An order that vacates or sets aside a judgment or grants a new trial;	1748 1749
(4) An order that grants or denies a provisional remedy and to which both of the following apply:	1750 1751

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<p>(a) The order in effect determines the action with respect to the provisional remedy and prevents a judgment in the action in favor of the appealing party with respect to the provisional remedy.</p> <p>(b) The appealing party would not be afforded a meaningful or effective remedy by an appeal following final judgment as to all proceedings, issues, claims, and parties in the action.</p> <p>(5) An order that determines that an action may or may not be maintained as a class action;</p> <p>(6) An order determining the constitutionality of any changes to the Revised Code made by Am. Sub. S.B. 281 of the 124th general assembly, including the amendment of sections 1751.67, 2117.06, 2305.11, 2305.15, 2305.234, 2317.02, 2317.54, 2323.56, 2711.21, 2711.22, 2711.23, 2711.24, 2743.02, 2743.43, 2919.16, 3923.63, 3923.64, 4705.15, and 5111.018 (renumbered as 5164.07 by H.B. 59 of the 130th general assembly), and the enactment of sections 2305.113, 2323.41, 2323.43, and 2323.55 of the Revised Code or any changes made by Sub. S.B. 80 of the 125th general assembly, including the amendment of sections 2125.02, 2305.10, 2305.131, 2315.18, 2315.19, and 2315.21 of the Revised Code;</p> <p>(7) An order in an appropriation proceeding that may be appealed pursuant to division (B) (3) of section 163.09 of the Revised Code;</p> <p><u>(8) An order restraining or restricting enforcement, in whole or in part, facially or as applied, of any state statute or regulation, including, but not limited, to orders in the form of injunctions, declaratory judgments, or writs.</u></p> <p>(C) When a court issues an order that vacates or sets</p>	<p>1752 1753 1754 1755</p> <p>1756 1757 1758</p> <p>1759 1760</p> <p>1761 1762 1763 1764 1765 1766 1767 1768 1769 1770 1771 1772</p> <p>1773 1774 1775</p> <p>1776 1777 1778 1779</p> <p>1780</p>
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aside a judgment or grants a new trial, the court, upon the 1781
 request of either party, shall state in the order the grounds 1782
 upon which the new trial is granted or the judgment vacated or 1783
 set aside. 1784

(D) This section applies to and governs any action, 1785
 including an appeal, that is pending in any court on July 22, 1786
 1998, and all claims filed or actions commenced on or after July 1787
 22, 1998, notwithstanding any provision of any prior statute or 1788
 rule of law of this state. 1789

Sec. 2929.20. (A) As used in this section: 1790

(1) (a) Except as provided in division (A) (1) (b) of this 1791
 section, "eligible offender" means any person who, on or after 1792
 April 7, 2009, is serving a stated prison term that includes one 1793
 or more nonmandatory prison terms. A person may be an eligible 1794
 offender and also may be an eighty per cent-qualifying offender 1795
 or, during a declared state of emergency, a state of emergency- 1796
 qualifying offender. 1797

(b) "Eligible offender" does not include any person who, 1798
 on or after April 7, 2009, is serving a stated prison term for 1799
 any of the following criminal offenses that was a felony and was 1800
 committed while the person held a public office in this state: 1801

(i) A violation of section 2921.02, 2921.03, 2921.05, 1802
 2921.31, 2921.32, 2921.41, 2921.42, or 2923.32 of the Revised 1803
 Code; 1804

(ii) A violation of section 2913.42, 2921.04, 2921.11, or 1805
 2921.12 of the Revised Code, when the conduct constituting the 1806
 violation was related to the duties of the offender's public 1807
 office or to the offender's actions as a public official holding 1808
 that public office; 1809

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(iii) A violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially equivalent to any violation listed in division (A) (1) (b) (i) of this section;	1810 1811 1812 1813
(iv) A violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially equivalent to any violation listed in division (A) (1) (b) (ii) of this section, when the conduct constituting the violation was related to the duties of the offender's public office or to the offender's actions as a public official holding that public office;	1814 1815 1816 1817 1818 1819 1820
(v) A conspiracy to commit, attempt to commit, or complicity in committing any offense listed in division (A) (1) (b) (i) or described in division (A) (1) (b) (iii) of this section;	1821 1822 1823
(vi) A conspiracy to commit, attempt to commit, or complicity in committing any offense listed in division (A) (1) (b) (ii) or described in division (A) (1) (b) (iv) of this section, if the conduct constituting the offense that was the subject of the conspiracy, that would have constituted the offense attempted, or constituting the offense in which the offender was complicit was or would have been related to the duties of the offender's public office or to the offender's actions as a public official holding that public office.	1824 1825 1826 1827 1828 1829 1830 1831 1832
(2) "State of emergency-qualifying offender" means any inmate to whom all of the following apply:	1833 1834
(a) The inmate is serving a stated prison term during a state of emergency that is declared by the governor as a direct response to a pandemic or public health emergency.	1835 1836 1837
(b) The geographical area covered by the declared state of	1838

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emergency includes the location at which the inmate is serving 1839
 the stated prison term described in division (A) (2) (a) of this 1840
 section. 1841

(c) There is a direct nexus between the emergency that is 1842
 the basis of the governor's declaration of the state of 1843
 emergency and the circumstances of, and need for release of, the 1844
 inmate. 1845

(3) (a) "Eighty per cent-qualifying offender" means an 1846
 offender who is serving a stated prison term of one year or 1847
 more, on or after April 4, 2023, who has commenced service of 1848
 that stated prison term, who is not serving a stated prison term 1849
 that includes a disqualifying prison term or a stated prison 1850
 term that consists solely of one or more restricting prison 1851
 terms, and to whom either of the following applies: 1852

(i) If the offender is serving a stated prison term of one 1853
 year or more that includes one or more restricting prison terms 1854
 and one or more eligible prison terms, the offender has fully 1855
 served all restricting prison terms and has served eighty per 1856
 cent of that stated prison term that remains to be served after 1857
 all restricting prison terms have been fully served. 1858

(ii) If the offender is serving a stated prison term of 1859
 one year or more that consists solely of one or more eligible 1860
 prison terms, the offender has served eighty per cent of that 1861
 stated prison term. 1862

(b) For purposes of determining whether an offender is an 1863
 eighty per cent-qualifying offender under division (A) (3) (a) of 1864
 this section: 1865

(i) If the offender's stated prison term includes 1866
 consecutive prison terms, any restricting prison terms shall be 1867

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deemed served prior to any eligible prison terms that run	1868
consecutively to the restricting prison terms, and the eligible	1869
prison terms are deemed to commence after all of the restricting	1870
prison terms have been fully served.	1871
(ii) An offender serving a stated prison term of one year	1872
or more that includes a mandatory prison term that is not a	1873
disqualifying prison term and is not a restricting prison term	1874
is not automatically disqualified from being an eighty per cent-	1875
qualifying offender as a result of the offender's service of	1876
that mandatory term for release from prison under this section,	1877
and the offender may be eligible for release from prison in	1878
accordance with this division and division (O) of this section.	1879
(4) "Nonmandatory prison term" means a prison term that is	1880
not a mandatory prison term.	1881
(5) "Public office" means any elected federal, state, or	1882
local government office in this state.	1883
(6) "Victim's representative" has the same meaning as in	1884
section 2930.01 of the Revised Code.	1885
(7) "Imminent danger of death," "medically incapacitated,"	1886
and "terminal illness" have the same meanings as in section	1887
2967.05 of the Revised Code.	1888
(8) "Aggregated nonmandatory prison term or terms" means	1889
the aggregate of the following:	1890
(a) All nonmandatory definite prison terms;	1891
(b) With respect to any non-life felony indefinite prison	1892
term, all nonmandatory minimum prison terms imposed as part of	1893
the non-life felony indefinite prison term or terms.	1894
(9) "Deadly weapon" and "dangerous ordnance" have the same	1895

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meanings as in section 2923.11 of the Revised Code.	1896
(10) "Disqualifying prison term" means any of the following:	1897
(a) A prison term imposed for aggravated murder, murder, voluntary manslaughter, involuntary manslaughter, felonious assault, kidnapping, rape, aggravated arson, aggravated burglary, or aggravated robbery;	1899
(b) A prison term imposed for complicity in, an attempt to commit, or conspiracy to commit any offense listed in division (A) (10) (a) of this section;	1900
(c) A prison term of life imprisonment, including any term of life imprisonment that has parole eligibility;	1901
(d) A prison term imposed for any felony other than carrying a concealed weapon an essential element of which is any conduct or failure to act expressly involving any deadly weapon or dangerous ordnance;	1902
(e) A prison term imposed for any violation of section 2925.03 of the Revised Code that is a felony of the first or second degree;	1903
(f) A prison term imposed for engaging in a pattern of corrupt activity in violation of section 2923.32 of the Revised Code;	1904
(g) A prison term imposed pursuant to section 2971.03 of the Revised Code;	1905
(h) A prison term imposed for any sexually oriented offense.	1906
(11) "Eligible prison term" means any prison term that is	1907

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not a disqualifying prison term and is not a restricting prison term.	1923 1924
(12) "Restricting prison term" means any of the following:	1925
(a) A mandatory prison term imposed under division (B) (1) (a), (B) (1) (c), (B) (1) (f), (B) (1) (g), (B) (2), or (B) (7) of section 2929.14 of the Revised Code for a specification of the type described in that division;	1926 1927 1928 1929
(b) In the case of an offender who has been sentenced to a mandatory prison term for a specification of the type described in division (A) (12) (a) of this section, the prison term imposed for the felony offense for which the specification was stated at the end of the body of the indictment, count in the indictment, or information charging the offense;	1930 1931 1932 1933 1934 1935
(c) A prison term imposed for trafficking in persons;	1936
(d) A prison term imposed for any offense that is described in division (A) (12) (d) (i) of this section if division (A) (12) (d) (ii) of this section applies to the offender:	1937 1938 1939
(i) The offense is a felony of the first or second degree that is an offense of violence and that is not described in division (A) (10) (a) or (b) of this section, an attempt to commit a felony of the first or second degree that is an offense of violence and that is not described in division (A) (10) (a) or (b) of this section if the attempt is a felony of the first or second degree, or an offense under an existing or former law of this state, another state, or the United States that is or was substantially equivalent to any other offense described in this division.	1940 1941 1942 1943 1944 1945 1946 1947 1948 1949
(ii) The offender previously was convicted of or pleaded guilty to any offense listed in division (A) (10) or (A) (12) (d)	1950 1951

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(i) of this section.	1952
(13) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code.	1953 1954
(14) "Stated prison term of one year or more" means a definite prison term of one year or more imposed as a stated prison term, or a minimum prison term of one year or more imposed as part of a stated prison term that is a non-life felony indefinite prison term.	1955 1956 1957 1958 1959
(B) On the motion of an eligible offender, on the motion of a state of emergency-qualifying offender made during the declared state of emergency, or on its own motion with respect to an eligible offender or with respect to a state of emergency- qualifying offender during the declared state of emergency, the sentencing court may reduce the offender's aggregated nonmandatory prison term or terms through a judicial release under this section.	1960 1961 1962 1963 1964 1965 1966 1967
(C) (1) Subject to division (C) (2) of this section, an eligible offender may file a motion for judicial release with the sentencing court, or a state of emergency-qualifying offender may file a motion for judicial release with the sentencing court during the declared state of emergency, within the following applicable periods:	1968 1969 1970 1971 1972 1973
(a) If the aggregated nonmandatory prison term or terms is less than two years, the eligible offender or state of emergency-qualifying offender may file the motion at any time after the offender is delivered to a state correctional institution or, if the prison term includes a mandatory prison term or terms, at any time after the expiration of all mandatory prison terms.	1974 1975 1976 1977 1978 1979 1980

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(b) If the aggregated nonmandatory prison term or terms is at least two years but less than five years, the eligible offender or state of emergency-qualifying offender may file the motion not earlier than one hundred eighty days after the offender is delivered to a state correctional institution or, if the prison term includes a mandatory prison term or terms, not earlier than one hundred eighty days after the expiration of all mandatory prison terms. 1981
1982
1983
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(c) If the aggregated nonmandatory prison term or terms is five years, the eligible offender or state of emergency-qualifying offender may file the motion not earlier than the date on which the offender has served four years of the offender's stated prison term or, if the prison term includes a mandatory prison term or terms, not earlier than four years after the expiration of all mandatory prison terms. 1989
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1991
1992
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(d) If the aggregated nonmandatory prison term or terms is more than five years but not more than ten years, the eligible offender or state of emergency-qualifying offender may file the motion not earlier than the date on which the offender has served five years of the offender's stated prison term or, if the prison term includes a mandatory prison term or terms, not earlier than five years after the expiration of all mandatory prison terms. 1996
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(e) If the aggregated nonmandatory prison term or terms is more than ten years, the eligible offender or state of emergency-qualifying offender may file the motion not earlier than the later of the date on which the offender has served one-half of the offender's stated prison term or the date specified in division (C)(1)(d) of this section. 2004
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2006
2007
2008
2009

(f) With respect to a state of emergency-qualifying 2010

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offender, if the offender's prison term does not include a 2011
 mandatory prison term or terms, or if the offender's prison term 2012
 includes one or more mandatory prison terms and the offender has 2013
 completed the mandatory prison term or terms, the state of 2014
 emergency-qualifying offender may file the motion at any time 2015
 during the offender's aggregated nonmandatory prison term or 2016
 terms, provided that time also is during the declared state of 2017
 emergency. 2018

(2) During any single declared state of emergency, a state 2019
 of emergency-qualifying offender may only file a motion for 2020
 judicial release as a state of emergency-qualifying offender 2021
 with the sentencing court during that declared state of 2022
 emergency once every six months. 2023

(D) (1) (a) Upon receipt of a timely motion for judicial 2024
 release filed by an eligible offender or a state of emergency- 2025
 qualifying offender under division (C) of this section, or upon 2026
 the sentencing court's own motion made within the appropriate 2027
 time specified in that division, the court may deny the motion 2028
 without a hearing or schedule a hearing on the motion. The court 2029
 may grant the motion without a hearing for an offender under 2030
 consideration for judicial release as a state of emergency- 2031
 qualifying offender, but the court shall not grant the motion 2032
 without a hearing for an offender under consideration as an 2033
 eligible offender. If a court denies a motion without a hearing, 2034
 the court later may consider judicial release for that eligible 2035
 offender or that state of emergency-qualifying offender on a 2036
 subsequent motion. For an offender under consideration for 2037
 judicial release as an eligible offender, but not for one under 2038
 consideration as a state of emergency-qualifying offender, the 2039
 court may deny the motion with prejudice. If a court denies a 2040
 motion with prejudice, the court may later consider judicial 2041

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release on its own motion. For an offender under consideration 2042
 for judicial release as a state of emergency-qualifying 2043
 offender, the court shall not deny a motion with prejudice. For 2044
 an offender under consideration for judicial release as an 2045
 eligible offender, but not for one under consideration as a 2046
 state of emergency-qualifying offender, if a court denies a 2047
 motion after a hearing, the court shall not consider a 2048
 subsequent motion for that offender based on the offender's 2049
 classification as an eligible offender. The court may hold 2050
 multiple hearings for any offender under consideration for 2051
 judicial release as a state of emergency-qualifying offender, 2052
 but shall hold only one hearing for any offender under 2053
 consideration as an eligible offender. 2054

(b) If an offender is under consideration for judicial 2055
 release as an eligible offender and the motion is denied, and if 2056
 the offender at that time also is or subsequently becomes a 2057
 state of emergency-qualifying offender, the denial does not 2058
 limit or affect any right of the offender to file a motion under 2059
 this section for consideration for judicial release as a state 2060
 of emergency-qualifying offender or for the court on its own 2061
 motion to consider the offender for judicial release as a state 2062
 of emergency-qualifying offender. 2063

If an offender is under consideration for judicial release 2064
 as a state of emergency-qualifying offender and the motion is 2065
 denied, and if the offender at that time also is or subsequently 2066
 becomes an eligible offender, the denial does not limit or 2067
 affect any right of the offender to file a motion under this 2068
 section for consideration for judicial release as an eligible 2069
 offender or for the court on its own motion to consider the 2070
 offender for judicial release as an eligible offender. 2071

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(2) (a) With respect to a motion for judicial release filed by an offender as an eligible offender or made by the court on its own motion for an offender as an eligible offender, a hearing under this section shall be conducted in open court not less than thirty or more than sixty days after the motion is filed, provided that the court may delay the hearing for one hundred eighty additional days. If the court holds a hearing, the court shall enter a ruling on the motion within ten days after the hearing. If the court denies the motion without a hearing, the court shall enter its ruling on the motion within sixty days after the motion is filed.

(b) With respect to a motion for judicial release filed by an offender as a state of emergency-qualifying offender or made by the court on its own motion for an offender as a state of emergency-qualifying offender, the court shall notify the prosecuting attorney of the county in which the offender was indicted and may order the prosecuting attorney to respond to the motion in writing within ten days. The prosecuting attorney shall notify the victim pursuant to the Ohio Constitution. The prosecuting attorney shall include in the response any statement that the victim wants to be represented to the court. The court shall consider any response from the prosecuting attorney and any statement from the victim in its ruling on the motion. After receiving the response from the prosecuting attorney, the court either shall order a hearing consistent with divisions (E) to (I) of this section as soon as possible, or shall enter its ruling on the motion for judicial release as soon as possible. If the court conducts a hearing, the hearing shall be conducted in open court or by a virtual, telephonic, or other form of remote hearing. If the court holds a hearing, the court shall enter a ruling on the motion within ten days after the hearing.

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If the court denies the motion without a hearing, the court 2103
shall enter its ruling on the motion within ten days after the 2104
motion is filed or after it receives the response from the 2105
prosecuting attorney. 2106

(E) If a court schedules a hearing under divisions (D) (1) 2107
and (2) (a) of this section or under divisions (D) (1) and (2) (b) 2108
of this section, the court shall notify the subject eligible 2109
offender or state of emergency-qualifying offender and the head 2110
of the state correctional institution in which that subject 2111
offender is confined prior to the hearing. The head of the state 2112
correctional institution immediately shall notify the 2113
appropriate person at the department of rehabilitation and 2114
correction of the hearing, and the department within twenty-four 2115
hours after receipt of the notice, shall post on the database it 2116
maintains pursuant to section 5120.66 of the Revised Code the 2117
subject offender's name and all of the information specified in 2118
division (A) (1)(c)(i) of that section. If the court schedules a 2119
hearing for judicial release, the court promptly shall give 2120
notice of the hearing to the prosecuting attorney of the county 2121
in which the subject eligible offender or state of emergency- 2122
qualifying offender was indicted. Upon receipt of the notice 2123
from the court, the prosecuting attorney shall do whichever of 2124
the following is applicable: 2125

(1) Subject to division (E) (2) of this section, notify the 2126
victim of the offense and the victim's representative, if 2127
applicable, pursuant to the Ohio Constitution and division (B) 2128
of section 2930.16 of the Revised Code; 2129

(2) If the offense was an offense of violence that is a 2130
felony of the first, second, or third degree, except as 2131
otherwise provided in this division, pursuant to the Ohio 2132

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Constitution, notify the victim and the victim's representative, 2133
if applicable, of the hearing regardless of whether the victim 2134
or victim's representative has requested the notification. 2135
Except when notice to the victim is required under the Ohio 2136
Constitution, the notice of the hearing shall not be given under 2137
this division to a victim or victim's representative if the 2138
victim or victim's representative has requested pursuant to 2139
division (B) (2) of section 2930.03 of the Revised Code that the 2140
victim or the victim's representative not be provided the 2141
notice. If notice is to be provided to a victim or victim's 2142
representative under this division, the prosecuting attorney may 2143
give the notice by any reasonable means, including regular mail, 2144
telephone, and electronic mail, in accordance with division (D) 2145
(1) of section 2930.16 of the Revised Code. If the notice is 2146
based on an offense committed prior to March 22, 2013, the 2147
notice also shall include the opt-out information described in 2148
division (D) (1) of section 2930.16 of the Revised Code. The 2149
prosecuting attorney, in accordance with division (D) (2) of 2150
section 2930.16 of the Revised Code, shall keep a record of all 2151
attempts to provide the notice, and of all notices provided, 2152
under this division. Division (E) (2) of this section, and the 2153
notice-related provisions of division (K) of this section, 2154
division (D) (1) of section 2930.16, division (H) of section 2155
2967.12, division (E) (1) (b) of section 2967.19 as it existed 2156
prior to April 4, 2023, division (A) (3) (b) of section 2967.26, 2157
division (D) (1) of section 2967.28, and division (A) (2) of 2158
section 5149.101 of the Revised Code enacted in the act in which 2159
division (E) (2) of this section was enacted, shall be known as 2160
"Roberta's Law." 2161

(F) Upon an offender's successful completion of 2162
rehabilitative activities, the head of the state correctional 2163

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institution may notify the sentencing court of the successful 2164
completion of the activities. 2165

(G) Prior to the date of the hearing on a motion for 2166
judicial release made by an eligible offender, by a state of 2167
emergency-qualifying offender, or by a court on its own under 2168
this section, the head of the state correctional institution in 2169
which the subject offender is confined shall send to the court 2170
an institutional summary report on the offender's conduct in the 2171
institution and in any institution from which the offender may 2172
have been transferred. Upon the request of the prosecuting 2173
attorney of the county in which the subject offender was 2174
indicted or of any law enforcement agency, the head of the state 2175
correctional institution, at the same time the person sends the 2176
institutional summary report to the court, also shall send a 2177
copy of the report to the requesting prosecuting attorney and 2178
law enforcement agencies. The institutional summary report shall 2179
cover the subject offender's participation in school, vocational 2180
training, work, treatment, and other rehabilitative activities 2181
and any disciplinary action taken against the subject offender. 2182
The report shall be made part of the record of the hearing. A 2183
presentence investigation report is not required for judicial 2184
release. 2185

(H) If the court grants a hearing on a motion for judicial 2186
release made by an eligible offender, by a state of emergency- 2187
qualifying offender, or by a court on its own under this 2188
section, the subject offender shall attend the hearing if 2189
ordered to do so by the court. Upon receipt of a copy of the 2190
journal entry containing the order, the head of the state 2191
correctional institution in which the subject offender is 2192
incarcerated shall deliver the subject offender to the sheriff 2193
of the county in which the hearing is to be held. The sheriff 2194

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shall convey the subject offender to and from the hearing. 2195

(I) At the hearing on a motion for judicial release under 2196
 this section made by an eligible offender, by a state of 2197
 emergency-qualifying offender, or by a court on its own, the 2198
 court shall afford the subject offender and the offender's 2199
 attorney an opportunity to present written and, if present, oral 2200
 information relevant to the motion. The court shall afford a 2201
 similar opportunity to the prosecuting attorney, the victim, the 2202
 victim's representative, the victim's attorney, if applicable, 2203
 and any other person the court determines is likely to present 2204
 additional relevant information. The court shall consider any 2205
 oral or written statement of a victim, victim's representative, 2206
 and victim's attorney, if applicable, made pursuant to section 2207
 2930.14 or 2930.17 of the Revised Code, any victim impact 2208
 statement prepared pursuant to section 2947.051 of the Revised 2209
 Code, and any report made under division (G) of this section. 2210
 The court may consider any written statement of any person 2211
 submitted to the court pursuant to division (L) of this section. 2212

If the motion alleges that the offender who is the subject 2213
 of the motion is an eligible offender and the court makes an 2214
 initial determination that the offender satisfies the criteria 2215
 for being an eligible offender, or if the motion alleges that 2216
 the offender who is the subject of the motion is a state of 2217
 emergency-qualifying offender and the court makes an initial 2218
 determination that the offender satisfies the criteria for being 2219
 a state of emergency-qualifying offender, the court shall 2220
 determine whether to grant the motion. After ruling on the 2221
 motion, the court shall notify the prosecuting attorney of the 2222
 county in which the eligible offender or state of emergency- 2223
 qualifying offender was indicted of the ruling, and the 2224
 prosecuting attorney shall notify the victim and the victim's 2225

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representative of the ruling in accordance with sections 2930.03	2226
and 2930.16 of the Revised Code or, if the court granted the	2227
motion, in accordance with division (K) of this section.	2228
(J) (1) A court shall not grant a judicial release under	2229
this section to an offender who is imprisoned for a felony of	2230
the first or second degree and who is under consideration as an	2231
eligible offender, or to an offender who committed an offense	2232
under Chapter 2925. or 3719. of the Revised Code, who is under	2233
consideration as an eligible offender, and for whom there was a	2234
presumption under section 2929.13 of the Revised Code in favor	2235
of a prison term, unless the court, with reference to factors	2236
under section 2929.12 of the Revised Code, finds both of the	2237
following:	2238
(a) That a sanction other than a prison term would	2239
adequately punish the offender and protect the public from	2240
future criminal violations by the offender because the	2241
applicable factors indicating a lesser likelihood of recidivism	2242
outweigh the applicable factors indicating a greater likelihood	2243
of recidivism;	2244
(b) That a sanction other than a prison term would not	2245
demean the seriousness of the offense because factors indicating	2246
that the offender's conduct in committing the offense was less	2247
serious than conduct normally constituting the offense outweigh	2248
factors indicating that the eligible offender's conduct was more	2249
serious than conduct normally constituting the offense.	2250
(2) A court that grants a judicial release under division	2251
(J) (1) of this section to an offender who is under consideration	2252
as an eligible offender shall specify on the record both	2253
findings required in that division and also shall list all the	2254
factors described in that division that were presented at the	2255

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hearing.	2256
(3) (a) Subject to division (J) (3) (b) of this section, a court shall grant a judicial release under this section to an offender who is under consideration as a state of emergency-qualifying offender if the court determines that the risks posed by incarceration to the health and safety of the offender, because of the nature of the declared state of emergency, outweigh the risk to public safety if the offender were to be released from incarceration.	2257 2258 2259 2260 2261 2262 2263 2264
(b) A court shall not grant a judicial release under this section to an offender who is imprisoned for a felony of the first or second degree and is under consideration for judicial release as a state of emergency-qualifying offender unless the court, with reference to the factors specified under section 2929.12 of the Revised Code, finds both of the criteria set forth in divisions (J) (1) (a) and (b) of this section.	2265 2266 2267 2268 2269 2270 2271
(K) If the court grants a motion for judicial release under this section, the court shall order the release of the eligible offender or state of emergency-qualifying offender, shall place the offender under an appropriate community control sanction, under appropriate conditions, and under the supervision of the department of probation serving the court and shall reserve the right to reimpose the sentence that it reduced if the offender violates the sanction. If the court reimposes the reduced sentence, it may do so either concurrently with, or consecutive to, any new sentence imposed on the eligible offender or state of emergency-qualifying offender as a result of the violation that is a new offense. Except as provided in division (N) (5) (b) of this section, the period of community control shall be no longer than five years. The court, in its	2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285

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discretion, may reduce the period of community control by the 2286
amount of time the offender spent in jail or prison for the 2287
offense and in prison. If the court made any findings pursuant 2288
to division (J)(1) of this section, the court shall serve a copy 2289
of the findings upon counsel for the parties within fifteen days 2290
after the date on which the court grants the motion for judicial 2291
release. 2292

If the court grants a motion for judicial release, the 2293
court shall notify the appropriate person at the department of 2294
rehabilitation and correction, and the department shall post 2295
notice of the release on the database it maintains pursuant to 2296
section 5120.66 of the Revised Code. The court also shall notify 2297
the prosecuting attorney of the county in which the eligible 2298
offender or state of emergency-qualifying offender was indicted 2299
that the motion has been granted. When notice to the victim is 2300
required under the Ohio Constitution, the prosecuting attorney 2301
shall notify the victim and the victim's representative, if 2302
applicable, of the judicial release. In all other cases, unless 2303
the victim or the victim's representative has requested pursuant 2304
to division (B)(2) of section 2930.03 of the Revised Code that 2305
the victim or victim's representative not be provided the 2306
notice, the prosecuting attorney shall notify the victim and the 2307
victim's representative, if applicable, of the judicial release 2308
in any manner, and in accordance with the same procedures, 2309
pursuant to which the prosecuting attorney is authorized to 2310
provide notice of the hearing pursuant to division (E)(2) of 2311
this section. If the notice is based on an offense committed 2312
prior to March 22, 2013, the notice to the victim or victim's 2313
representative also shall include the opt-out information 2314
described in division (D)(1) of section 2930.16 of the Revised 2315
Code. 2316

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(L) In addition to and independent of the right of a victim to make a statement pursuant to section 2930.14, 2930.17, or 2946.051 of the Revised Code and any right of a person to present written information or make a statement pursuant to division (I) of this section, any person may submit to the court, at any time prior to the hearing on the motion for judicial release of the eligible offender or state of emergency-qualifying offender, a written statement concerning the effects of the offender's criminal offense, the circumstances surrounding the criminal offense, the manner in which the criminal offense was perpetrated, and the person's opinion as to whether the offender should be released.	2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328
(M) (1) The changes to this section that are made on September 30, 2011, apply to any judicial release decision made on or after September 30, 2011, for any eligible offender, subject to division (M) (2) of this section.	2329 2330 2331 2332
(2) The changes to this section that are made on April 4, 2023, apply to any judicial release application, and any judicial release decision, made on or after April 4, 2023, for any eligible offender or state of emergency-qualifying offender.	2333 2334 2335 2336
(N) (1) Notwithstanding the eligibility requirements specified in divisions (A) (1) and (2) of this section and the filing time frames specified in division (C) of this section and notwithstanding the findings required under division (J) (1) and the eligibility criteria specified in division (J) (3) of this section, the sentencing court, upon the court's own motion and after considering whether the release of the offender into society would create undue risk to public safety, may grant a judicial release to an offender who is not serving a life sentence at any time during the offender's imposed sentence when	2337 2338 2339 2340 2341 2342 2343 2344 2345 2346

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the director of rehabilitation and correction certifies to the 2347
 sentencing court through the chief medical officer for the 2348
 department of rehabilitation and correction that the offender is 2349
 in imminent danger of death, is medically incapacitated, or has 2350
 a terminal illness. 2351

(2) The director of rehabilitation and correction shall 2352
 not certify any offender under division (N)(1) of this section 2353
 who is serving a death sentence. 2354

(3) A motion made by the court under division (N)(1) of 2355
 this section is subject to the notice, hearing, and other 2356
 procedural requirements specified in divisions (D), (E), (G), 2357
 (H), (I), (K), and (L) of this section with respect to motions 2358
 for a grant of judicial release to eligible offenders, including 2359
 notice to the victim, except for the following: 2360

(a) The court may waive the offender's appearance at any 2361
 hearing scheduled by the court if the offender's condition makes 2362
 it impossible for the offender to participate meaningfully in 2363
 the proceeding. 2364

(b) The court may grant the motion without a hearing, 2365
 provided that the prosecuting attorney, victim, and victim's 2366
 representative, if applicable, to whom notice of the hearing was 2367
 provided under division (E) of this section indicate that they 2368
 do not wish to participate in the hearing or present information 2369
 relevant to the motion. 2370

(4) The court may request health care records from the 2371
 department of rehabilitation and correction to verify the 2372
 certification made under division (N)(1) of this section. 2373

(5) (a) If the court grants judicial release under division 2374
 (N)(1) of this section, the court shall do all of the following: 2375

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(i) Order the release of the offender;	2376
(ii) Place the offender under an appropriate community control sanction, under appropriate conditions;	2377 2378
(iii) Place the offender under the supervision of the department of probation serving the court or under the supervision of the adult parole authority.	2379 2380 2381
(b) The court, in its discretion, may revoke the judicial release if the offender violates the community control sanction described in division (N)(5)(a) of this section. The period of that community control is not subject to the five-year limitation described in division (K) of this section and shall not expire earlier than the date on which all of the offender's mandatory prison terms expire.	2382 2383 2384 2385 2386 2387 2388
(6) If the health of an offender who is released under division (N)(1) of this section improves so that the offender is no longer terminally ill, medically incapacitated, or in imminent danger of death, the court shall, upon the court's own motion, revoke the judicial release. The court shall not grant the motion without a hearing unless the offender waives a hearing. If a hearing is held, the court shall afford the offender and the offender's attorney an opportunity to present written and, if the offender or the offender's attorney is present, oral information relevant to the motion. The court shall afford a similar opportunity to the prosecuting attorney, the victim, the victim's representative, the victim's attorney, if applicable, and any other person the court determines is likely to present additional relevant information. If a hearing is held, the prosecuting attorney shall notify the victim and the victim's representative, if applicable, pursuant to the Ohio Constitution. A court that grants a motion under this division	2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405

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shall specify its findings on the record. 2406

(O) (1) Separate from and independent of the provisions of 2407
 divisions (A) to (N) of this section, the director of the 2408
 department of rehabilitation and correction may recommend in 2409
 writing to the sentencing court that the court consider 2410
 releasing from prison, through a judicial release, any offender 2411
 who is confined in a state correctional institution and who is 2412
 an eighty per cent-qualifying offender. The director may file 2413
 such a recommendation for judicial release by submitting to the 2414
 sentencing court a notice, in writing, of the recommendation 2415
 within the applicable period specified in division (A) (3) of 2416
 this section for qualifying as an eighty per cent-qualifying 2417
 offender. 2418

The director shall include with any notice submitted to 2419
 the sentencing court under this division an institutional 2420
 summary report that covers the offender's participation while 2421
 confined in a state correctional institution in school, 2422
 training, work, treatment, and other rehabilitative activities 2423
 and any disciplinary action taken against the offender while so 2424
 confined. The director shall include with the notice any other 2425
 documentation requested by the court, if available. 2426

If the director submits a notice under this division 2427
 recommending judicial release, the department promptly shall 2428
 provide to the prosecuting attorney of the county in which the 2429
 offender was indicted a copy of the written notice and 2430
 recommendation, a copy of the institutional summary report, and 2431
 any other information provided to the court, and shall provide a 2432
 copy of the institutional summary report to any law enforcement 2433
 agency that requests the report. The department also shall 2434
 provide written notice of the submission of the director's 2435

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notice to any victim of the offender or victim's representative,	2436
if applicable, in the same manner as is specified in divisions	2437
(E) (1) and (2) of this section with respect to notices of	2438
hearings.	2439
(2) A recommendation for judicial release in a notice	2440
submitted by the director under division (O) (1) of this section	2441
is subject to the notice, hearing, and other procedural	2442
requirements specified in divisions (E), (H), (I), and (L) of	2443
this section, including notice to the victim pursuant to the	2444
Ohio Constitution, except as otherwise specified in divisions	2445
(O) (3) to (5) of this section, provided that references in	2446
divisions (E), (H), (I), (K), and (L) of this section to "the	2447
motion" shall be construed for purposes of division (O) of this	2448
section as being references to the notice and recommendation	2449
specified in division (O) (1) of this section.	2450
(3) The director's submission of a notice under division	2451
(O) (1) of this section constitutes a recommendation by the	2452
director that the court strongly consider a judicial release of	2453
the offender consistent with the purposes and principles of	2454
sentencing set forth in sections 2929.11 and 2929.13 of the	2455
Revised Code and establishes a rebuttable presumption that the	2456
offender shall be released through a judicial release in	2457
accordance with the recommendation. The presumption of release	2458
may be rebutted only as described in division (O) (6) of this	2459
section. Only an offender recommended by the director under	2460
division (O) (1) of this section may be considered for a judicial	2461
release under division (O) of this section.	2462
(4) Upon receipt of a notice recommending judicial release	2463
submitted by the director under division (O) (1) of this section,	2464
the court shall schedule a hearing to consider the	2465

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recommendation for the judicial release of the offender who is 2466
 the subject of the notice. The hearing shall be conducted in 2467
 open court not less than thirty or more than sixty days after 2468
 the notice is submitted. The court shall inform the department 2469
 and the prosecuting attorney of the county in which the offender 2470
 who is the subject of the notice was indicted of the date, time, 2471
 and location of the hearing. Upon receipt of the notice from the 2472
 court, the prosecuting attorney shall comply with division (E) 2473
 of this section, including providing notice to the victim and 2474
 the victim's representative, if applicable, pursuant to the Ohio 2475
 Constitution, and the department shall post the information 2476
 specified in that division. 2477

(5) When a court schedules a hearing under division (O)(4) 2478
 of this section, at the hearing, the court shall consider all of 2479
 the following in determining whether to grant the offender 2480
 judicial release under division (O) of this section: 2481

(a) The institutional summary report submitted under 2482
 division (O)(1) of this section; 2483

(b) The inmate's academic, vocational education programs, 2484
 or alcohol or drug treatment programs; or involvement in 2485
 meaningful activity; 2486

(c) The inmate's assignments and whether the inmate 2487
 consistently performed each work assignment to the satisfaction 2488
 of the department staff responsible for supervising the inmate's 2489
 work; 2490

(d) The inmate transferred to and actively participated in 2491
 core curriculum programming at a reintegration center prison; 2492

(e) The inmate's disciplinary history; 2493

(f) The inmate's security level; 2494

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(g) All other information, statements, reports, and documentation described in division (I) of this section.	2495 2496
(6) If the court that receives a notice recommending judicial release submitted by the director under division (O)(1) of this section makes an initial determination that the offender satisfies the criteria for being an eighty per cent-qualifying offender, the court then shall determine whether to grant the offender judicial release. In making the second determination, the court shall grant the offender judicial release unless the prosecuting attorney proves to the court, by a preponderance of the evidence, that the legitimate interests of the government in maintaining the offender's confinement outweigh the interests of the offender in being released from that confinement. If the court grants a judicial release under this division, division (K) of this section applies regarding the judicial release, including notice to the victim and the victim's representative, if applicable, pursuant to the Ohio Constitution, provided that references in division (K) of this section to "the motion" shall be construed for purposes of the judicial release granted under this division as being references to the notice and recommendation specified in division (O)(1) of this section.	2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515
The court shall enter its ruling on the notice recommending judicial release submitted by the director under division (O)(1) of this section within ten days after the hearing is conducted. After ruling on whether to grant the offender judicial release under division (O) of this section, the court shall notify the offender, the prosecuting attorney, and the department of rehabilitation and correction of its decision, and shall notify the victim of its decision in accordance with the Ohio Constitution and sections 2930.03 and 2930.16 of the Revised Code. If the court does not enter a	2516 2517 2518 2519 2520 2521 2522 2523 2524 2525

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ruling on the notice within ten days after the hearing is 2526
 conducted as required under this division, the division of 2527
 parole and community services of the department of 2528
 rehabilitation and correction may release the offender. 2529

(P) All notices to a victim of an offense provided under 2530
 division (D), (E), (K), (N), or (O) of this section shall be 2531
 provided in accordance with the Ohio Constitution. 2532

Sec. 2967.26. (A) (1) The department of rehabilitation and 2533
 correction, by rule, may establish a transitional control 2534
 program for the purpose of closely monitoring a prisoner's 2535
 adjustment to community supervision during the final one hundred 2536
 eighty days of the prisoner's confinement. If the department 2537
 establishes a transitional control program under this division, 2538
 the division of parole and community services of the department 2539
 of rehabilitation and correction may transfer eligible prisoners 2540
 to transitional control status under the program during the 2541
 final one hundred eighty days of their confinement and under the 2542
 terms and conditions established by the department, shall 2543
 provide for the confinement as provided in this division of each 2544
 eligible prisoner so transferred, and shall supervise each 2545
 eligible prisoner so transferred in one or more community 2546
 control sanctions. Each eligible prisoner who is transferred to 2547
 transitional control status under the program shall be confined 2548
 in a suitable facility that is licensed pursuant to division (C) 2549
 of section 2967.14 of the Revised Code, or shall be confined in 2550
 a residence the department has approved for this purpose and be 2551
 monitored pursuant to an electronic monitoring device, as 2552
 defined in section 2929.01 of the Revised Code. If the 2553
 department establishes a transitional control program under this 2554
 division, the rules establishing the program shall include 2555
 criteria that define which prisoners are eligible for the 2556

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program, criteria that must be satisfied to be approved as a residence that may be used for confinement under the program of a prisoner that is transferred to it and procedures for the department to approve residences that satisfy those criteria, and provisions of the type described in division (C) of this section. At a minimum, the criteria that define which prisoners are eligible for the program shall provide all of the following:

(a) That a prisoner is eligible for the program if the prisoner is serving a prison term or term of imprisonment for an offense committed prior to March 17, 1998, and if, at the time at which eligibility is being determined, the prisoner would have been eligible for a furlough under this section as it existed immediately prior to March 17, 1998, or would have been eligible for conditional release under former section 2967.23 of the Revised Code as that section existed immediately prior to March 17, 1998;

(b) That no prisoner who is serving a mandatory prison term is eligible for the program until after expiration of the mandatory term;

(c) That no prisoner who is serving a prison term or term of life imprisonment without parole imposed pursuant to section 2971.03 of the Revised Code is eligible for the program.

(2) At least sixty days prior to transferring to transitional control under this section a prisoner who is serving a definite term of imprisonment or definite prison term of less than one year for an offense committed on or after July 1, 1996, or who is serving a minimum term of less than one year under a non-life felony indefinite prison term, on or after April 4, 2023, the division of parole and community services of the department of rehabilitation and correction shall give

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notice of the pendency of the transfer to transitional control 2587
 to the court of common pleas of the county in which the 2588
 indictment against the prisoner was found and of the fact that 2589
 the court may disapprove the transfer of the prisoner to 2590
 transitional control and shall include the institutional summary 2591
 report prepared by the head of the state correctional 2592
 institution in which the prisoner is confined. The head of the 2593
 state correctional institution in which the prisoner is 2594
 confined, upon the request of the division of parole and 2595
 community services, shall provide to the division for inclusion 2596
 in the notice sent to the court under this division an 2597
 institutional summary report on the prisoner's conduct in the 2598
 institution and in any institution from which the prisoner may 2599
 have been transferred. The institutional summary report shall 2600
 cover the prisoner's participation in school, vocational 2601
 training, work, treatment, and other rehabilitative activities 2602
 and any disciplinary action taken against the prisoner. If the 2603
 court disapproves of the transfer of the prisoner to 2604
 transitional control, the court shall notify the division of the 2605
 disapproval within thirty days after receipt of the notice. If 2606
 the court timely disapproves the transfer of the prisoner to 2607
 transitional control, the division shall not proceed with the 2608
 transfer. If the court does not timely disapprove the transfer 2609
 of the prisoner to transitional control, the division may 2610
 transfer the prisoner to transitional control. 2611

(3) (a) If the victim of an offense for which a prisoner 2612
 was sentenced to a prison term or term of imprisonment has 2613
 requested notification under section 2930.16 of the Revised Code 2614
 and has provided the department of rehabilitation and correction 2615
 with the victim's name and address or if division (A) (3) (b) of 2616
 this section applies, the division of parole and community 2617

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services, at least sixty days prior to transferring the prisoner 2618
to transitional control pursuant to this section, shall notify 2619
the victim and the victim's representative, if applicable, of 2620
the pendency of the transfer and of the victim's and victim's 2621
representative's right to submit a statement to the division 2622
regarding the impact of the transfer of the prisoner to 2623
transitional control. If the victim or victim's representative's 2624
subsequently submits a statement of that nature to the division, 2625
the division shall consider the statement in deciding whether to 2626
transfer the prisoner to transitional control. 2627

(b) If a prisoner is incarcerated for the commission of 2628
aggravated murder, murder, or an offense of violence that is a 2629
felony of the first, second, or third degree or under a sentence 2630
of life imprisonment, except as otherwise provided in this 2631
division, the notice described in division (A) (3) (a) of this 2632
section shall be given regardless of whether the victim has 2633
requested the notification. The notice described in division (A) 2634
(3) (a) of this section shall not be given under this division to 2635
a victim if the victim has requested pursuant to division (B) (2) 2636
of section 2930.03 of the Revised Code that the victim not be 2637
provided the notice. If notice is to be provided to a victim 2638
under this division, the authority may give the notice by any 2639
reasonable means, including regular mail, telephone, and 2640
electronic mail, in accordance with division (D)(1) of section 2641
2930.16 of the Revised Code. If the notice is based on an 2642
offense committed prior to March 22, 2013, the notice also shall 2643
include the opt-out information described in division (D)(1) of 2644
section 2930.16 of the Revised Code. The authority, in 2645
accordance with division (D)(2) of section 2930.16 of the 2646
Revised Code, shall keep a record of all attempts to provide the 2647
notice, and of all notices provided, under this division. 2648

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Division (A) (3) (b) of this section, and the notice-related	2649
provisions of divisions (E) (2) and (K) of section 2929.20,	2650
division (D) (1) of section 2930.16, division (H) of section	2651
2967.12, division (E) (1) (b) of section 2967.19 as it existed	2652
prior to April 4, 2023, division (D) (1) of section 2967.28, and	2653
division (A) (2) of section 5149.101 of the Revised Code enacted	2654
in the act in which division (A) (3) (b) of this section was	2655
enacted, shall be known as "Roberta's Law."	2656
(4) The department of rehabilitation and correction, at	2657
least sixty days prior to transferring a prisoner to	2658
transitional control pursuant to this section, shall post on the	2659
database it maintains pursuant to section 5120.66 of the Revised	2660
Code the prisoner's name and all of the information specified in	2661
division (A) (1) (c) (iv) of that section. In addition to and	2662
independent of the right of a victim to submit a statement as	2663
described in division (A) (3) of this section or to otherwise	2664
make a statement and in addition to and independent of any other	2665
right or duty of a person to present information or make a	2666
statement, any person may send to the division of parole and	2667
community services at any time prior to the division's transfer	2668
of the prisoner to transitional control a written statement	2669
regarding the transfer of the prisoner to transitional control.	2670
In addition to the information, reports, and statements it	2671
considers under divisions (A) (2) and (3) of this section or that	2672
it otherwise considers, the division shall consider each	2673
statement submitted in accordance with this division in deciding	2674
whether to transfer the prisoner to transitional control.	2675
(B) Each prisoner transferred to transitional control	2676
under this section shall be confined in the manner described in	2677
division (A) of this section during any period of time that the	2678
prisoner is not actually working at the prisoner's approved	2679

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employment, engaged in a vocational training or another 2680
 educational program, engaged in another program designated by 2681
 the director, or engaged in other activities approved by the 2682
 department. 2683

(C) The department of rehabilitation and correction shall 2684
 adopt rules for transferring eligible prisoners to transitional 2685
 control, supervising and confining prisoners so transferred, 2686
 administering the transitional control program in accordance 2687
 with this section, and using the moneys deposited into the 2688
 transitional control fund established under division (E) of this 2689
 section. 2690

(D) The department of rehabilitation and correction may 2691
 adopt rules for the issuance of passes for the limited purposes 2692
 described in this division to prisoners who are transferred to 2693
 transitional control under this section. If the department 2694
 adopts rules of that nature, the rules shall govern the granting 2695
 of the passes and shall provide for the supervision of prisoners 2696
 who are temporarily released pursuant to one of those passes. 2697
 Upon the adoption of rules under this division, the department 2698
 may issue passes to prisoners who are transferred to 2699
 transitional control status under this section in accordance 2700
 with the rules and the provisions of this division. All passes 2701
 issued under this division shall be for a maximum of forty-eight 2702
 hours and may be issued only for the following purposes: 2703

- (1) To visit a relative in imminent danger of death; 2704
- (2) To have a private viewing of the body of a deceased 2705
 relative; 2706
- (3) To visit with family; 2707
- (4) To otherwise aid in the rehabilitation of the 2708

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prisoner. 2709

(E) The division of parole and community services may 2710
 require a prisoner who is transferred to transitional control to 2711
 pay to the division the reasonable expenses incurred by the 2712
 division in supervising or confining the prisoner while under 2713
 transitional control. Inability to pay those reasonable expenses 2714
 shall not be grounds for refusing to transfer an otherwise 2715
 eligible prisoner to transitional control. Amounts received by 2716
 the division of parole and community services under this 2717
 division shall be deposited into the transitional control fund, 2718
 which is hereby created in the state treasury and which hereby 2719
 replaces and succeeds the furlough services fund that formerly 2720
 existed in the state treasury. All moneys that remain in the 2721
 furlough services fund on March 17, 1998, shall be transferred 2722
 on that date to the transitional control fund. The transitional 2723
 control fund shall be used solely to pay costs related to the 2724
 operation of the transitional control program established under 2725
 this section. The director of rehabilitation and correction 2726
 shall adopt rules in accordance with section 111.15 of the 2727
 Revised Code for the use of the fund. 2728

(F) A prisoner who violates any rule established by the 2729
 department of rehabilitation and correction under division (A), 2730
 (C), or (D) of this section may be transferred to a state 2731
 correctional institution pursuant to rules adopted under 2732
 division (A), (C), or (D) of this section, but the prisoner 2733
 shall receive credit towards completing the prisoner's sentence 2734
 for the time spent under transitional control. 2735

If a prisoner is transferred to transitional control under 2736
 this section, upon successful completion of the period of 2737
 transitional control, the prisoner may be released on parole or 2738

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under post-release control pursuant to section 2967.13 or 2739
 2967.28 of the Revised Code and rules adopted by the department 2740
 of rehabilitation and correction. If the prisoner is released 2741
 under post-release control, the duration of the post-release 2742
 control, the type of post-release control sanctions that may be 2743
 imposed, the enforcement of the sanctions, and the treatment of 2744
 prisoners who violate any sanction applicable to the prisoner 2745
 are governed by section 2967.28 of the Revised Code. 2746

Sec. 3109.055. (A) If a child is born to an unmarried 2747
woman and the father of the child has acknowledged the child and 2748
that acknowledgment has become final pursuant to section 2749
2151.232, 3111.25, or 3111.821 of the Revised Code or has been 2750
determined in an action under Chapter 3111. of the Revised Code 2751
to be the father of the child, the court, upon its own motion or 2752
the motion of one of the parties, may order the parents to 2753
undergo conciliation with a magistrate in order to resolve any 2754
disputes regarding the allocation of parental rights and 2755
responsibilities between the parents in a case pending before 2756
the court. An order requiring conciliation shall set forth the 2757
the name of the magistrate who will serve as the conciliator and 2758
the manner in which the costs of any conciliation procedures are 2759
to be paid. 2760

(B) A magistrate who serves as a conciliator shall use 2761
conciliation procedures to resolve a dispute regarding the 2762
allocation of parental rights and responsibilities and, upon 2763
resolution of the dispute, issue an order regarding the 2764
allocation of parental rights and responsibilities, parenting 2765
time, or companionship or visitation pursuant to section 2766
2151.23, 3109.04, or 3109.12 of the Revised Code. The 2767
conciliation procedures may include without limitation the use 2768
of family counselors and service agencies, community health 2769

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services, physicians, licensed psychologists, or clergy. If the 2770
magistrate orders the parties to undergo family counseling, the 2771
magistrate shall name the counselor and set forth the required 2772
type of counseling, the length of time for the counseling, and 2773
any other specific conditions. No order regarding the allocation 2774
of parental rights and responsibilities, parenting time, or 2775
companionship or visitation shall be issued until the 2776
conciliation has concluded and been reported to the magistrate. 2777

Sec. 3517.01. (A) (1) A political party within the meaning 2778
of Title XXXV of the Revised Code is any group of voters that 2779
meets either of the following requirements: 2780

(a) Except as otherwise provided in this division, at the 2781
most recent regular state election, the group polled for its 2782
candidate for governor in the state or nominees for presidential 2783
electors at least three per cent of the entire vote cast for 2784
that office. A group that meets the requirements of this 2785
division remains a political party for a period of four years 2786
after meeting those requirements. 2787

(b) The group filed with the secretary of state, 2788
subsequent to its failure to meet the requirements of division 2789
(A) (1) (a) of this section, a party formation petition that meets 2790
all of the following requirements: 2791

(i) The petition is signed by qualified electors equal in 2792
number to at least one per cent of the total vote for governor 2793
or nominees for presidential electors at the most recent 2794
election for such office. 2795

(ii) The petition is signed by not fewer than five hundred 2796
qualified electors from each of at least a minimum of one-half 2797
of the congressional districts in this state. If an odd number 2798

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of congressional districts exists in this state, the number of 2799
 districts that results from dividing the number of congressional 2800
 districts by two shall be rounded up to the next whole number. 2801

(iii) The petition declares the petitioners' intention of 2802
 organizing a political party, the name of which shall be stated 2803
 in the declaration, and of participating in the succeeding 2804
 general election, held in even-numbered years, that occurs more 2805
 than one hundred twenty-five days after the date of filing. 2806

(iv) The petition designates a committee of not less than 2807
 three nor more than five individuals of the petitioners, who 2808
 shall represent the petitioners in all matters relating to the 2809
 petition. Notice of all matters or proceedings pertaining to the 2810
 petition may be served on the committee, or any of them, either 2811
 personally or by registered mail, or by leaving such notice at 2812
 the usual place of residence of each of them. 2813

(2) No such group of electors shall assume a name or 2814
 designation that is similar, in the opinion of the secretary of 2815
 state, to that of an existing political party as to confuse or 2816
 mislead the voters at an election. 2817

(B) A campaign committee shall be legally liable for any 2818
 debts, contracts, or expenditures incurred or executed in its 2819
 name. 2820

(C) Notwithstanding the definitions found in section 2821
 3501.01 of the Revised Code, as used in this section and 2822
 sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the 2823
 Revised Code: 2824

(1) "Campaign committee" means a candidate or a 2825
 combination of two or more persons authorized by a candidate 2826
 under section 3517.081 of the Revised Code to receive 2827

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contributions and make expenditures.	2828
(2) "Campaign treasurer" means an individual appointed by a candidate under section 3517.081 of the Revised Code.	2829 2830
(3) "Candidate" has the same meaning as in division (H) of section 3501.01 of the Revised Code and also includes any person who, at any time before or after an election, receives contributions or makes expenditures or other use of contributions, has given consent for another to receive contributions or make expenditures or other use of contributions, or appoints a campaign treasurer, for the purpose of bringing about the person's nomination or election to public office. When two persons jointly seek the offices of governor and lieutenant governor, "candidate" means the pair of candidates jointly. "Candidate" does not include candidates for election to the offices of member of a county or state central committee, presidential elector, and delegate to a national convention or conference of a political party.	2831 2832 2833 2834 2835 2836 2837 2838 2839 2840 2841 2842 2843 2844
(4) "Continuing association" means an association, other than a campaign committee, political party, legislative campaign fund, political contributing entity, or labor organization, that is intended to be a permanent organization that has a primary purpose other than supporting or opposing specific candidates, political parties, or ballot issues, and that functions on a regular basis throughout the year. "Continuing association" includes organizations that are determined to be not organized for profit under subsection 501 and that are described in subsection 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal Revenue Code.	2845 2846 2847 2848 2849 2850 2851 2852 2853 2854 2855
(5) "Contribution" means a loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or	2856 2857

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transfer of funds or anything of value, including a transfer of 2858
 funds from an inter vivos or testamentary trust or decedent's 2859
 estate, and the payment by any person other than the person to 2860
 whom the services are rendered for the personal services of 2861
 another person, which contribution is made, received, or used 2862
 for the purpose of influencing the results of an election. Any 2863
 loan, gift, deposit, forgiveness of indebtedness, donation, 2864
 advance, payment, or transfer of funds or of anything of value, 2865
 including a transfer of funds from an inter vivos or 2866
 testamentary trust or decedent's estate, and the payment by any 2867
 campaign committee, political action committee, legislative 2868
 campaign fund, political party, political contributing entity, 2869
 or person other than the person to whom the services are 2870
 rendered for the personal services of another person, that is 2871
 made, received, or used by a state or county political party, 2872
 other than the moneys an entity may receive under sections 2873
 3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 2874
 considered to be a "contribution" for the purpose of section 2875
 3517.10 of the Revised Code and shall be included on a statement 2876
 of contributions filed under that section. 2877

"Contribution" does not include any of the following: 2878

- (a) Services provided without compensation by individuals 2879
 volunteering a portion or all of their time on behalf of a 2880
 person; 2881
- (b) Ordinary home hospitality; 2882
- (c) The personal expenses of a volunteer paid for by that 2883
 volunteer campaign worker; 2884
- (d) Any gift given to an entity pursuant to section 2885
 3517.101 of the Revised Code; 2886

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- (e) Any contribution as defined in section 3517.1011 of the Revised Code that is made, received, or used to pay the direct costs of producing or airing an electioneering communication; 2887
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- (f) Any gift given to a state or county political party for the party's restricted fund under division (A) (2) of section 3517.1012 of the Revised Code; 2891
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- (g) Any gift given to a state political party for deposit in a Levin account pursuant to section 3517.1013 of the Revised Code. As used in this division, "Levin account" has the same meaning as in that section. 2894
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- (h) Any donation given to a transition fund under section 3517.1014 of the Revised Code. 2898
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- (6) "Expenditure" means the disbursement or use of a contribution or other funds for the purpose of influencing the results of an election or of making a charitable donation under division (G) of section 3517.08 of the Revised Code. Any disbursement or use of a contribution by a state or county political party is an expenditure and shall be considered either to be made for the purpose of influencing the results of an election or to be made as a charitable donation under division (G) of section 3517.08 of the Revised Code and shall be reported on a statement of expenditures filed under section 3517.10 of the Revised Code. During the thirty days preceding a primary or general election, any disbursement to pay the direct costs of producing or airing a broadcast, cable, or satellite communication that refers to a clearly identified candidate shall be considered to be made for the purpose of influencing the results of that election and shall be reported as an expenditure or as an independent expenditure under section 2900
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3517.10 or 3517.105 of the Revised Code, as applicable, except	2917
that the information required to be reported regarding	2918
contributors for those expenditures or independent expenditures	2919
shall be the same as the information required to be reported	2920
under divisions (D)(1) and (2) of section 3517.1011 of the	2921
Revised Code.	2922
As used in this division, "broadcast, cable, or satellite	2923
communication" and "refers to a clearly identified candidate"	2924
have the same meanings as in section 3517.1011 of the Revised	2925
Code.	2926
(7) "Personal expenses" includes, but is not limited to,	2927
ordinary expenses for accommodations, clothing, food, personal	2928
motor vehicle or airplane, and home telephone.	2929
(8) "Political action committee" means a combination of	2930
two or more persons, the primary or major purpose of which is to	2931
support or oppose any candidate, political party, or issue, or	2932
to influence the result of any election through express	2933
advocacy, and that is not a political party, a campaign	2934
committee, a political contributing entity, or a legislative	2935
campaign fund. "Political action committee" does not include	2936
either of the following:	2937
(a) A continuing association that makes disbursements for	2938
the direct costs of producing or airing electioneering	2939
communications and that does not engage in express advocacy;	2940
(b) A political club that is formed primarily for social	2941
purposes and that consists of one hundred members or less, has	2942
officers and periodic meetings, has less than two thousand five	2943
hundred dollars in its treasury at all times, and makes an	2944
aggregate total contribution of one thousand dollars or less per	2945

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calendar year.	2946
(9) "Public office" means any state, county, municipal, township, or district office, except an office of a political party, that is filled by an election and the offices of United States senator and representative.	2947 2948 2949 2950
(10) "Anything of value" has the same meaning as in section 1.03 of the Revised Code.	2951 2952
(11) "Beneficiary of a campaign fund" means a candidate, a public official or employee for whose benefit a campaign fund exists, and any other person who has ever been a candidate or public official or employee and for whose benefit a campaign fund exists.	2953 2954 2955 2956 2957
(12) "Campaign fund" means money or other property, including contributions.	2958 2959
(13) "Public official or employee" has the same meaning as in section 102.01 of the Revised Code.	2960 2961
(14) "Caucus" means all of the members of the house of representatives or all of the members of the senate of the general assembly who are members of the same political party.	2962 2963 2964
(15) "Legislative campaign fund" means a fund that is established as an auxiliary of a state political party and associated with one of the houses of the general assembly.	2965 2966 2967
(16) "In-kind contribution" means anything of value other than money that is used to influence the results of an election or is transferred to or used in support of or in opposition to a candidate, campaign committee, legislative campaign fund, political party, political action committee, or political contributing entity and that is made with the consent of, in	2968 2969 2970 2971 2972 2973

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coordination, cooperation, or consultation with, or at the 2974
 request or suggestion of the benefited candidate, committee, 2975
 fund, party, or entity. The financing of the dissemination, 2976
 distribution, or republication, in whole or part, of any 2977
 broadcast or of any written, graphic, or other form of campaign 2978
 materials prepared by the candidate, the candidate's campaign 2979
 committee, or their authorized agents is an in-kind contribution 2980
 to the candidate and an expenditure by the candidate. 2981

(17) (17) (a) "Independent expenditure" means an either of 2982
the following: 2983

(i) An expenditure by a person advocating the election or 2984
defeat of an identified candidate or candidates, that is not 2985
made with the consent of, in coordination, cooperation, or 2986
consultation with, or at the request or suggestion of any 2987
candidate or candidates or of the campaign committee or agent of 2988
the candidate or candidates; 2989

(ii) An expenditure by a person advocating support of or 2990
opposition to an identified ballot issue or question or to 2991
achieve the successful circulation of an initiative or 2992
referendum petition in order to place such an issue or question 2993
on the ballot, regardless of whether the ballot issue or 2994
question has yet been certified to appear on the ballot. As 2995

(b) As used in division (C)(17)-(C)(17)(a) of this 2996
section: 2997

(a)-(i) "Person" means an individual, partnership, 2998
unincorporated business organization or association, political 2999
action committee, political contributing entity, separate 3000
segregated fund, association, or other organization or group of 3001
persons, but not a labor organization or a corporation unless 3002

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the labor organization or corporation is a political 3003
contributing entity. 3004

(b)–(ii) "Advocating" means any communication containing a 3005
message advocating election or defeat. 3006

(e)–(iii) "Identified candidate" means that the name of 3007
the candidate appears, a photograph or drawing of the candidate 3008
appears, or the identity of the candidate is otherwise apparent 3009
by unambiguous reference. 3010

(d)–(iv) "Made in coordination, cooperation, or 3011
consultation with, or at the request or suggestion of, any 3012
candidate or the campaign committee or agent of the candidate" 3013
means made pursuant to any arrangement, coordination, or 3014
direction by the candidate, the candidate's campaign committee, 3015
or the candidate's agent prior to the publication, distribution, 3016
display, or broadcast of the communication. An expenditure is 3017
presumed to be so made when it is any of the following: 3018

(i)–(I) Based on information about the candidate's plans, 3019
projects, or needs provided to the person making the expenditure 3020
by the candidate, or by the candidate's campaign committee or 3021
agent, with a view toward having an expenditure made; 3022

(ii)–(II) Made by or through any person who is, or has 3023
been, authorized to raise or expend funds, who is, or has been, 3024
an officer of the candidate's campaign committee, or who is, or 3025
has been, receiving any form of compensation or reimbursement 3026
from the candidate or the candidate's campaign committee or 3027
agent; 3028

(iii)–(III) Except as otherwise provided in division (D) 3029
of section 3517.105 of the Revised Code, made by a political 3030
party in support of a candidate, unless the expenditure is made 3031

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by a political party to conduct voter registration or voter
education efforts. 3032
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(e) (v) "Agent" means any person who has actual oral or
written authority, either express or implied, to make or to
authorize the making of expenditures on behalf of a candidate,
or means any person who has been placed in a position with the
candidate's campaign committee or organization such that it
would reasonably appear that in the ordinary course of campaign-
related activities the person may authorize expenditures. 3034
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(18) "Labor organization" means a labor union; an employee
organization; a federation of labor unions, groups, locals, or
other employee organizations; an auxiliary of a labor union,
employee organization, or federation of labor unions, groups,
locals, or other employee organizations; or any other bona fide
organization in which employees participate and that exists for
the purpose, in whole or in part, of dealing with employers
concerning grievances, labor disputes, wages, hours, and other
terms and conditions of employment. 3041
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(19) "Separate segregated fund" means a separate
segregated fund established pursuant to the Federal Election
Campaign Act. 3050
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(20) "Federal Election Campaign Act" means the "Federal
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et
seq., as amended. 3053
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(21) "Restricted fund" means the fund a state or county
political party must establish under division (A)(1) of section
3517.1012 of the Revised Code. 3056
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3058

(22) "Electioneering communication" has the same meaning
as in section 3517.1011 of the Revised Code. 3059
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(23) "Express advocacy" means a communication that	3061
contains express words advocating the nomination, election, or	3062
defeat of a candidate or that contains express words advocating	3063
the adoption or defeat of a question or issue, as determined by	3064
a final judgment of a court of competent jurisdiction.	3065
(24) "Political committee" has the same meaning as in	3066
section 3517.1011 of the Revised Code.	3067
(25) "Political contributing entity" means any entity,	3068
including a corporation or labor organization, that may lawfully	3069
make contributions and expenditures and that is not an	3070
individual or a political action committee, continuing	3071
association, campaign committee, political party, legislative	3072
campaign fund, designated state campaign committee, or state	3073
candidate fund. For purposes of this division, "lawfully" means	3074
not prohibited by any section of the Revised Code, or authorized	3075
by a final judgment of a court of competent jurisdiction.	3076
(26) "Internet identifier of record" has the same meaning	3077
as in section 9.312 of the Revised Code.	3078
Sec. 3517.10. (A) Except as otherwise provided in this	3079
division, every campaign committee, political action committee,	3080
legislative campaign fund, political party, and political	3081
contributing entity that made or received a contribution or made	3082
an expenditure in connection with the nomination or election of	3083
any candidate or in connection with any ballot issue or question	3084
at any election held or to be held in this state shall file, on	3085
a form prescribed under this section or by electronic means of	3086
transmission as provided in this section and section 3517.106 of	3087
the Revised Code, a full, true, and itemized statement, made	3088
under penalty of election falsification, setting forth in detail	3089
the contributions and expenditures, not later than four p.m. of	3090

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the following dates:	3091
(1) The twelfth day before the election to reflect contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the twentieth day before the election;	3092 3093 3094 3095 3096
(2) The thirty-eighth day after the election to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the seventh day before the filing of the statement;	3097 3098 3099 3100 3101
(3) The last business day of January of every year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of December of the previous year;	3102 3103 3104 3105 3106
(4) The last business day of July of every year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of June of that year.	3107 3108 3109 3110 3111
A campaign committee shall only be required to file the statements prescribed under divisions (A)(1) and (2) of this section in connection with the nomination or election of the committee's candidate.	3112 3113 3114 3115
The statement required under division (A)(1) of this section shall not be required of any campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity that has received	3116 3117 3118 3119

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contributions of less than one thousand dollars and has made 3120
 expenditures of less than one thousand dollars at the close of 3121
 business on the twentieth day before the election. Those 3122
 contributions and expenditures shall be reported in the 3123
 statement required under division (A) (2) of this section. 3124

If an election to select candidates to appear on the 3125
 general election ballot is held within sixty days before a 3126
 general election, the campaign committee of a successful 3127
 candidate in the earlier election may file the statement 3128
 required by division (A) (1) of this section for the general 3129
 election instead of the statement required by division (A) (2) of 3130
 this section for the earlier election if the pregeneral election 3131
 statement reflects the status of contributions and expenditures 3132
 for the period twenty days before the earlier election to twenty 3133
 days before the general election. 3134

If a person becomes a candidate less than twenty days 3135
 before an election, the candidate's campaign committee is not 3136
 required to file the statement required by division (A) (1) of 3137
 this section. 3138

No statement under division (A) (3) of this section shall 3139
 be required for any year in which a campaign committee, 3140
 political action committee, legislative campaign fund, political 3141
 party, or political contributing entity is required to file a 3142
 postgeneral election statement under division (A) (2) of this 3143
 section. However, a statement under division (A) (3) of this 3144
 section may be filed, at the option of the campaign committee, 3145
 political action committee, legislative campaign fund, political 3146
 party, or political contributing entity. 3147

No campaign committee of a candidate for the office of 3148
 chief justice or justice of the supreme court, and no campaign 3149

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committee of a candidate for the office of judge of any court in 3150
 this state, shall be required to file a statement under division 3151
 (A) (4) of this section. 3152

Except as otherwise provided in this paragraph and in the 3153
 next paragraph of this section, the only campaign committees 3154
 required to file a statement under division (A) (4) of this 3155
 section are the campaign committee of a statewide candidate and 3156
 the campaign committee of a candidate for county office. The 3157
 campaign committee of a candidate for any other nonjudicial 3158
 office is required to file a statement under division (A) (4) of 3159
 this section if that campaign committee receives, during that 3160
 period, contributions exceeding ten thousand dollars. 3161

No statement under division (A) (4) of this section shall 3162
 be required of a campaign committee, a political action 3163
 committee, a legislative campaign fund, a political party, or a 3164
 political contributing entity for any year in which the campaign 3165
 committee, political action committee, legislative campaign 3166
 fund, political party, or political contributing entity is 3167
 required to file a postprimary election statement under division 3168
 (A) (2) of this section. However, a statement under division (A) 3169
 (4) of this section may be filed at the option of the campaign 3170
 committee, political action committee, legislative campaign 3171
 fund, political party, or political contributing entity. 3172

No statement under division (A) (3) or (4) of this section 3173
 shall be required if the campaign committee, political action 3174
 committee, legislative campaign fund, political party, or 3175
 political contributing entity has no contributions that it has 3176
 received and no expenditures that it has made since the last 3177
 date reflected in its last previously filed statement. However, 3178
 the campaign committee, political action committee, legislative 3179

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campaign fund, political party, or political contributing entity 3180
shall file a statement to that effect, on a form prescribed 3181
under this section and made under penalty of election 3182
falsification, on the date required in division (A) (3) or (4) of 3183
this section, as applicable. 3184

The campaign committee of a statewide candidate shall file 3185
a monthly statement of contributions received during each of the 3186
months of July, August, and September in the year of the general 3187
election in which the candidate seeks office. The campaign 3188
committee of a statewide candidate shall file the monthly 3189
statement not later than three business days after the last day 3190
of the month covered by the statement. During the period 3191
beginning on the nineteenth day before the general election in 3192
which a statewide candidate seeks election to office and 3193
extending through the day of that general election, each time 3194
the campaign committee of the joint candidates for the offices 3195
of governor and lieutenant governor or of a candidate for the 3196
office of secretary of state, auditor of state, treasurer of 3197
state, or attorney general receives a contribution from a 3198
contributor that causes the aggregate amount of contributions 3199
received from that contributor during that period to equal or 3200
exceed ten thousand dollars and each time the campaign committee 3201
of a candidate for the office of chief justice or justice of the 3202
supreme court receives a contribution from a contributor that 3203
causes the aggregate amount of contributions received from that 3204
contributor during that period to exceed ten thousand dollars, 3205
the campaign committee shall file a two-business-day statement 3206
reflecting that contribution. Contributions reported on a two- 3207
business-day statement required to be filed by a campaign 3208
committee of a statewide candidate in a primary election shall 3209
also be included in the postprimary election statement required 3210

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to be filed by that campaign committee under division (A) (2) of 3211
 this section. A two-business-day statement required by this 3212
 paragraph shall be filed not later than two business days after 3213
 receipt of the contribution. The statements required by this 3214
 paragraph shall be filed in addition to any other statements 3215
 required by this section. 3216

Subject to the secretary of state having implemented, 3217
 tested, and verified the successful operation of any system the 3218
 secretary of state prescribes pursuant to divisions (C) (6) (b) 3219
 and (D) (6) of this section and division (F) (1) of section 3220
 3517.106 of the Revised Code for the filing of campaign finance 3221
 statements by electronic means of transmission, a campaign 3222
 committee of a statewide candidate shall file a two-business-day 3223
 statement under the preceding paragraph by electronic means of 3224
 transmission if the campaign committee is required to file a 3225
 pre-election, postelection, or monthly statement of 3226
 contributions and expenditures by electronic means of 3227
 transmission under this section or section 3517.106 of the 3228
 Revised Code. 3229

If a campaign committee or political action committee has 3230
 no balance on hand and no outstanding obligations and desires to 3231
 terminate itself, it shall file a statement to that effect, on a 3232
 form prescribed under this section and made under penalty of 3233
 election falsification, with the official with whom it files a 3234
 statement under division (A) of this section after filing a 3235
 final statement of contributions and a final statement of 3236
 expenditures, if contributions have been received or 3237
 expenditures made since the period reflected in its last 3238
 previously filed statement. 3239

(B) Except as otherwise provided in division (C) (7) of 3240

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this section, each statement required by division (A) of this 3241
 section shall contain the following information: 3242

(1) The full name and address of each campaign committee, 3243
 political action committee, legislative campaign fund, political 3244
 party, or political contributing entity, including any treasurer 3245
 of the committee, fund, party, or entity, filing a contribution 3246
 and expenditure statement; 3247

(2) (a) In the case of a campaign committee, the 3248
 candidate's full name and address; 3249

(b) In the case of a political action committee, the 3250
 registration number assigned to the committee under division (D) 3251
 (1) of this section. 3252

(3) The date of the election and whether it was or will be 3253
 a general, primary, or special election; 3254

(4) A statement of contributions received, which shall 3255
 include the following information: 3256

(a) The month, day, and year of the contribution; 3257

(b) (i) The full name and address of each person, political 3258
 party, campaign committee, legislative campaign fund, political 3259
 action committee, or political contributing entity from whom 3260
 contributions are received and the registration number assigned 3261
 to the political action committee under division (D) (1) of this 3262
 section. The requirement of filing the full address does not 3263
 apply to any statement filed by a state or local committee of a 3264
 political party, to a finance committee of such committee, or to 3265
 a committee recognized by a state or local committee as its 3266
 fund-raising auxiliary. Notwithstanding division (F) of this 3267
 section, the requirement of filing the full address shall be 3268
 considered as being met if the address filed is the same address 3269

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the contributor provided under division (E) (1) of this section.	3270
(ii) If a political action committee, political contributing entity, legislative campaign fund, or political party that is required to file campaign finance statements by electronic means of transmission under section 3517.106 of the Revised Code or a campaign committee of a statewide candidate or candidate for the office of member of the general assembly receives a contribution from an individual that exceeds one hundred dollars, the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any;	3271 3272 3273 3274 3275 3276 3277 3278 3279 3280
(iii) If a campaign committee of a statewide candidate or candidate for the office of member of the general assembly receives a contribution transmitted pursuant to section 3599.031 of the Revised Code from amounts deducted from the wages and salaries of two or more employees that exceeds in the aggregate one hundred dollars during any one filing period under division (A) (1), (2), (3), or (4) of this section, the full name of the employees' employer and the full name of the labor organization of which the employees are members, if any.	3281 3282 3283 3284 3285 3286 3287 3288 3289
(c) A description of the contribution received, if other than money;	3290 3291
(d) The value in dollars and cents of the contribution;	3292
(e) A separately itemized account of all contributions and expenditures regardless of the amount, except a receipt of a contribution from a person in the sum of twenty-five dollars or less at one social or fund-raising activity and a receipt of a contribution transmitted pursuant to section 3599.031 of the Revised Code from amounts deducted from the wages and salaries	3293 3294 3295 3296 3297 3298

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of employees if the contribution from the amount deducted from	3299
the wages and salary of any one employee is twenty-five dollars	3300
or less aggregated in a calendar year. An account of the total	3301
contributions from each social or fund-raising activity shall	3302
include a description of and the value of each in-kind	3303
contribution received at that activity from any person who made	3304
one or more such contributions whose aggregate value exceeded	3305
two hundred fifty dollars and shall be listed separately,	3306
together with the expenses incurred and paid in connection with	3307
that activity. A campaign committee, political action committee,	3308
legislative campaign fund, political party, or political	3309
contributing entity shall keep records of contributions from	3310
each person in the amount of twenty-five dollars or less at one	3311
social or fund-raising activity and contributions from amounts	3312
deducted under section 3599.031 of the Revised Code from the	3313
wages and salary of each employee in the amount of twenty-five	3314
dollars or less aggregated in a calendar year. No continuing	3315
association that is recognized by a state or local committee of	3316
a political party as an auxiliary of the party and that makes a	3317
contribution from funds derived solely from regular dues paid by	3318
members of the auxiliary shall be required to list the name or	3319
address of any members who paid those dues.	3320
Contributions that are other income shall be itemized	3321
separately from all other contributions. The information	3322
required under division (B) (4) of this section shall be provided	3323
for all other income itemized. As used in this paragraph, "other	3324
income" means a loan, investment income, or interest income.	3325
(f) In the case of a campaign committee of a state elected	3326
officer, if a person doing business with the state elected	3327
officer in the officer's official capacity makes a contribution	3328
to the campaign committee of that officer, the information	3329

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required under division (B) (4) of this section in regard to that contribution, which shall be filed together with and considered a part of the committee's statement of contributions as required under division (A) of this section but shall be filed on a separate form provided by the secretary of state. As used in this division:	3330 3331 3332 3333 3334 3335
(i) "State elected officer" has the same meaning as in section 3517.092 of the Revised Code.	3336 3337
(ii) "Person doing business" means a person or an officer of an entity who enters into one or more contracts with a state elected officer or anyone authorized to enter into contracts on behalf of that officer to receive payments for goods or services, if the payments total, in the aggregate, more than five thousand dollars during a calendar year.	3338 3339 3340 3341 3342 3343
(5) A statement of expenditures which shall include the following information:	3344 3345
(a) The month, day, and year of the expenditure;	3346
(b) The full name and address of each person, political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity to whom the expenditure was made and the registration number assigned to the political action committee under division (D)(1) of this section;	3347 3348 3349 3350 3351 3352
(c) The object or purpose for which the expenditure was made;	3353 3354
(d) The amount of each expenditure.	3355
(C) (1) The statement of contributions and expenditures shall be signed by the person completing the form. If a	3356 3357

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statement of contributions and expenditures is filed by 3358
 electronic means of transmission pursuant to this section or 3359
 section 3517.106 of the Revised Code, the electronic signature 3360
 of the person who executes the statement and transmits the 3361
 statement by electronic means of transmission, as provided in 3362
 division (F) of section 3517.106 of the Revised Code, shall be 3363
 attached to or associated with the statement and shall be 3364
 binding on all persons and for all purposes under the campaign 3365
 finance reporting law as if the signature had been handwritten 3366
 in ink on a printed form. 3367

(2) The person filing the statement, under penalty of 3368
 election falsification, shall include with it ~~a both of the~~ 3369
following: 3370

(a) A list of each anonymous contribution, the 3371
circumstances under which it was received, and the reason it 3372
cannot be attributed to a specific donor; 3373

(b) A certification that the campaign committee, political 3374
action committee, legislative campaign fund, political party, or 3375
political contributing entity, as applicable, has not knowingly 3376
accepted any contribution that is prohibited under this chapter 3377
or section 3599.03 or 3599.031 of the Revised Code, including 3378
under division (W) of section 3517.13 of the Revised Code, 3379
during the period covered by the statement. 3380

(3) Each statement of a campaign committee of a candidate 3381
 who holds public office shall contain a designation of each 3382
 contributor who is an employee in any unit or department under 3383
 the candidate's direct supervision and control. In a space 3384
 provided in the statement, the person filing the statement shall 3385
 affirm that each such contribution was voluntarily made. 3386

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(4) A campaign committee that did not receive contributions or make expenditures in connection with the nomination or election of its candidate shall file a statement to that effect, on a form prescribed under this section and made under penalty of election falsification, on the date required in division (A) (2) of this section.	3387 3388 3389 3390 3391 3392
(5) The campaign committee of any person who attempts to become a candidate and who, for any reason, does not become certified in accordance with Title XXXV of the Revised Code for placement on the official ballot of a primary, general, or special election to be held in this state, and who, at any time prior to or after an election, receives contributions or makes expenditures, or has given consent for another to receive contributions or make expenditures, for the purpose of bringing about the person's nomination or election to public office, shall file the statement or statements prescribed by this section and a termination statement, if applicable. Division (C) (5) of this section does not apply to any person with respect to an election to the offices of member of a county or state central committee, presidential elector, or delegate to a national convention or conference of a political party.	3393 3394 3395 3396 3397 3398 3399 3400 3401 3402 3403 3404 3405 3406 3407
(6) (a) The statements required to be filed under this section shall specify the balance in the hands of the campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity and the disposition intended to be made of that balance.	3408 3409 3410 3411 3412
(b) The secretary of state shall prescribe the form for all statements required to be filed under this section and shall furnish the forms to the boards of elections in the several counties. The boards of elections shall supply printed copies of	3413 3414 3415 3416

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those forms without charge. The secretary of state shall 3417
prescribe the appropriate methodology, protocol, and data file 3418
structure for statements required or permitted to be filed by 3419
electronic means of transmission to the secretary of state or a 3420
board of elections under division (A) of this section, division 3421
(E) of section 3517.106, division (D) of section 3517.1011, 3422
division (B) of section 3517.1012, division (C) of section 3423
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 3424
Revised Code. Subject to division (A) of this section, division 3425
(E) of section 3517.106, division (D) of section 3517.1011, 3426
division (B) of section 3517.1012, division (C) of section 3427
3517.1013, and divisions (D) and (I) of section 3517.1014 of the 3428
Revised Code, the statements required to be stored on computer 3429
by the secretary of state under division (B) of section 3517.106 3430
of the Revised Code shall be filed in whatever format the 3431
secretary of state considers necessary to enable the secretary 3432
of state to store the information contained in the statements on 3433
computer. Any such format shall be of a type and nature that is 3434
readily available to whoever is required to file the statements 3435
in that format. 3436

(c) The secretary of state shall assess the need for 3437
training regarding the filing of campaign finance statements by 3438
electronic means of transmission and regarding associated 3439
technologies for candidates, campaign committees, political 3440
action committees, legislative campaign funds, political 3441
parties, or political contributing entities, for individuals, 3442
partnerships, or other entities, for persons making 3443
disbursements to pay the direct costs of producing or airing 3444
electioneering communications, or for treasurers of transition 3445
funds, required or permitted to file statements by electronic 3446
means of transmission under this section or section 3517.105, 3447

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3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the 3448
 Revised Code. If, in the opinion of the secretary of state, 3449
 training in these areas is necessary, the secretary of state 3450
 shall arrange for the provision of voluntary training programs 3451
 for candidates, campaign committees, political action 3452
 committees, legislative campaign funds, political parties, or 3453
 political contributing entities, for individuals, partnerships, 3454
 and other entities, for persons making disbursements to pay the 3455
 direct costs of producing or airing electioneering 3456
 communications, or for treasurers of transition funds, as 3457
 appropriate. 3458

(7) Each monthly statement and each two-business-day 3459
 statement required by division (A) of this section shall contain 3460
 the information required by divisions (B) (1) to (4), (C) (2), 3461
 and, if appropriate, (C) (3) of this section. Each statement 3462
 shall be signed as required by division (C) (1) of this section. 3463

(D) (1) (a) Prior to receiving a contribution or making an 3464
 expenditure, every campaign committee, political action 3465
 committee, legislative campaign fund, political party, or 3466
 political contributing entity shall appoint a treasurer and 3467
 shall file, on a form prescribed by the secretary of state, a 3468
 designation of that appointment, including the full name and 3469
 address of the treasurer and of the campaign committee, 3470
 political action committee, legislative campaign fund, political 3471
 party, or political contributing entity. That designation shall 3472
 be filed with the official with whom the campaign committee, 3473
 political action committee, legislative campaign fund, political 3474
 party, or political contributing entity is required to file 3475
 statements under section 3517.11 of the Revised Code. The name 3476
 of a campaign committee shall include at least the last name of 3477
 the campaign committee's candidate. If two or more candidates 3478

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are the beneficiaries of a single campaign committee under 3479
 division (B) of section 3517.081 of the Revised Code, the name 3480
 of the campaign committee shall include at least the last name 3481
 of each candidate who is a beneficiary of that campaign 3482
 committee. The secretary of state shall assign a registration 3483
 number to each political action committee that files a 3484
 designation of the appointment of a treasurer under this 3485
 division if the political action committee is required by 3486
 division (A)(1) of section 3517.11 of the Revised Code to file 3487
 the statements prescribed by this section with the secretary of 3488
 state. 3489

(b) The form of the designation of treasurer shall require 3490
the filer to certify, under penalty of election falsification, 3491
that the campaign committee, political action committee, 3492
legislative campaign fund, political party, or political 3493
contributing entity, as applicable, has not knowingly accepted, 3494
and will not knowingly accept, any contribution that is 3495
prohibited under this chapter or section 3599.03 or 3599.031 of 3496
the Revised Code, including under division (W) of section 3497
3517.13 of the Revised Code. 3498

(c) The secretary of state shall not accept for filing a 3499
designation of treasurer of a political action committee or 3500
political contributing entity if, in the opinion of the 3501
secretary of state, the name of the political action committee 3502
or political contributing entity would lead a reasonable person 3503
to believe that the political action committee or political 3504
contributing entity acts on behalf of or represents a county 3505
political party, unless the designation is accompanied by a 3506
written statement, signed by the chairperson of the county 3507
political party's executive committee, granting the political 3508
action committee or political contributing entity permission to 3509

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act on behalf of or represent the county political party. 3510

(2) The treasurer appointed under division (D)(1) of this section shall keep a strict account of all contributions, from whom received and the purpose for which they were disbursed. 3511
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(3) (a) Except as otherwise provided in section 3517.108 of the Revised Code, a campaign committee shall deposit all monetary contributions received by the committee into an account separate from a personal or business account of the candidate or campaign committee. 3514
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(b) A political action committee shall deposit all monetary contributions received by the committee into an account separate from all other funds. 3519
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(c) A state or county political party may establish a state candidate fund that is separate from all other funds. A state or county political party may deposit into its state candidate fund any amounts of monetary contributions that are made to or accepted by the political party subject to the applicable limitations, if any, prescribed in section 3517.102 of the Revised Code. A state or county political party shall deposit all other monetary contributions received by the party into one or more accounts that are separate from its state candidate fund. 3522
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(d) Each state political party shall have only one legislative campaign fund for each house of the general assembly. Each such fund shall be separate from any other funds or accounts of that state party. A legislative campaign fund is authorized to receive contributions and make expenditures for the primary purpose of furthering the election of candidates who are members of that political party to the house of the general 3532
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assembly with which that legislative campaign fund is 3539
 associated. Each legislative campaign fund shall be administered 3540
 and controlled in a manner designated by the caucus. As used in 3541
 this division, "caucus" has the same meaning as in section 3542
 3517.01 of the Revised Code and includes, as an ex officio 3543
 member, the chairperson of the state political party with which 3544
 the caucus is associated or that chairperson's designee. 3545

(4) Every expenditure in excess of twenty-five dollars 3546
 shall be vouched for by a receipted bill, stating the purpose of 3547
 the expenditure, that shall be filed with the statement of 3548
 expenditures. A canceled check with a notation of the purpose of 3549
 the expenditure is a receipted bill for purposes of division (D) 3550
 (4) of this section. 3551

(5) The secretary of state or the board of elections, as 3552
 the case may be, shall issue a receipt for each statement filed 3553
 under this section and shall preserve a copy of the receipt for 3554
 a period of at least six years. All statements filed under this 3555
 section shall be open to public inspection in the office where 3556
 they are filed and shall be carefully preserved for a period of 3557
 at least six years after the year in which they are filed. 3558

(6) The secretary of state, by rule adopted pursuant to 3559
 section 3517.23 of the Revised Code, shall prescribe both of the 3560
 following: 3561

(a) The manner of immediately acknowledging, with date and 3562
 time received, and preserving the receipt of statements that are 3563
 transmitted by electronic means of transmission to the secretary 3564
 of state or a board of elections pursuant to this section or 3565
 section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 3566
 of the Revised Code; 3567

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(b) The manner of preserving the contribution and expenditure, contribution and disbursement, deposit and disbursement, gift and disbursement, or donation and disbursement information in the statements described in division (D) (6) (a) of this section. The secretary of state shall preserve the contribution and expenditure, contribution and disbursement, deposit and disbursement, gift and disbursement, or donation and disbursement information in those statements for at least ten years after the year in which they are filed by electronic means of transmission.	3568 3569 3570 3571 3572 3573 3574 3575 3576 3577
(7) (a) The secretary of state, pursuant to division (G) of section 3517.106 of the Revised Code, shall make available online to the public through the internet the contribution and expenditure, contribution and disbursement, deposit and disbursement, gift and disbursement, or donation and disbursement information in all of the following documents:	3578 3579 3580 3581 3582 3583
(i) All statements, all addenda, amendments, or other corrections to statements, and all amended statements filed with the secretary of state by electronic or other means of transmission under this section, division (B) (2) (b) or (C) (2) (b) of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 3517.1013, 3517.1014, or 3517.11 of the Revised Code;	3584 3585 3586 3587 3588 3589
(ii) All statements filed with a board of elections by electronic means of transmission, and all addenda, amendments, corrections, and amended versions of those statements, filed with the board under this section, division (B) (2) (b) or (C) (2) (b) of section 3517.105, or section 3517.106, 3517.1012, or 3517.11 of the Revised Code.	3590 3591 3592 3593 3594 3595
(b) The secretary of state may remove the information from the internet after a reasonable period of time.	3596 3597

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(E) (1) Any person, political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity that makes a contribution in connection with the nomination or election of any candidate or in connection with any ballot issue or question at any election held or to be held in this state shall provide its full name and address to the recipient of the contribution at the time the contribution is made. The political action committee also shall provide the registration number assigned to the committee under division (D) (1) of this section to the recipient of the contribution at the time the contribution is made.

(2) Any individual who makes a contribution that exceeds one hundred dollars to a political action committee, political contributing entity, legislative campaign fund, or political party or to a campaign committee of a statewide candidate or candidate for the office of member of the general assembly shall provide the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any, to the recipient of the contribution at the time the contribution is made. Sections 3599.39 and 3599.40 of the Revised Code do not apply to division (E)(2) of this section.

(3) If a campaign committee shows that it has exercised its best efforts to obtain, maintain, and submit the information required under divisions (B)(4)(b)(ii) and (iii) of this section, that committee is considered to have met the requirements of those divisions. A campaign committee shall not be considered to have exercised its best efforts unless, in connection with written solicitations, it regularly includes a written request for the information required under division (B)(4)(b)(ii) of this section from the contributor or the

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information required under division (B) (4) (b) (iii) of this 3629
 section from whoever transmits the contribution. 3630

(4) Any check that a political action committee uses to 3631
 make a contribution or an expenditure shall contain the full 3632
 name and address of the committee and the registration number 3633
 assigned to the committee under division (D) (1) of this section. 3634

(F) As used in this section: 3635

(1) (a) Except as otherwise provided in division (F) (1) of 3636
 this section, "address" means all of the following if they 3637
 exist: apartment number, street, road, or highway name and 3638
 number, rural delivery route number, city or village, state, and 3639
 zip code as used in a person's post-office address, but not 3640
 post-office box. 3641

(b) Except as otherwise provided in division (F) (1) of 3642
 this section, if an address is required in this section, a post- 3643
 office box and office, room, or suite number may be included in 3644
 addition to, but not in lieu of, an apartment, street, road, or 3645
 highway name and number. 3646

(c) If an address is required in this section, a campaign 3647
 committee, political action committee, legislative campaign 3648
 fund, political party, or political contributing entity may use 3649
 the business or residence address of its treasurer or deputy 3650
 treasurer. The post-office box number of the campaign committee, 3651
 political action committee, legislative campaign fund, political 3652
 party, or political contributing entity may be used in addition 3653
 to that address. 3654

(d) For the sole purpose of a campaign committee's 3655
 reporting of contributions on a statement of contributions 3656
 received under division (B) (4) of this section, "address" has 3657

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one of the following meanings at the option of the campaign committee:	3658
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(i) The same meaning as in division (F) (1) (a) of this section;	3660
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(ii) All of the following, if they exist: the contributor's post-office box number and city or village, state, and zip code as used in the contributor's post-office address.	3662
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(e) As used with regard to the reporting under this section of any expenditure, "address" means all of the following if they exist: apartment number, street, road, or highway name and number, rural delivery route number, city or village, state, and zip code as used in a person's post-office address, or post-office box. If an address concerning any expenditure is required in this section, a campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity may use the business or residence address of its treasurer or deputy treasurer or its post-office box number.	3665
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(2) "Statewide candidate" means the joint candidates for the offices of governor and lieutenant governor or a candidate for the office of secretary of state, auditor of state, treasurer of state, attorney general, member of the state board of education, chief justice of the supreme court, or justice of the supreme court.	3676
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(3) "Candidate for county office" means a candidate for the office of county auditor, county treasurer, clerk of the court of common pleas, judge of the court of common pleas, sheriff, county recorder, county engineer, county commissioner, prosecuting attorney, or coroner.	3682
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(G) An independent expenditure shall be reported whenever and in the same manner that an expenditure is required to be reported under this section and shall be reported pursuant to division (B) (2) (a) or (C) (2) (a) of section 3517.105 of the Revised Code.	3687 3688 3689 3690 3691
(H) (1) Except as otherwise provided in division (H) (2) of this section, if, during the combined pre-election and postelection reporting periods for an election, a campaign committee has received contributions of five hundred dollars or less and has made expenditures in the total amount of five hundred dollars or less, it may file a statement to that effect, under penalty of election falsification, in lieu of the statement required by division (A) (2) of this section. The statement shall indicate the total amount of contributions received and the total amount of expenditures made during those combined reporting periods.	3692 3693 3694 3695 3696 3697 3698 3699 3700 3701 3702
(2) In the case of a successful candidate at a primary election, if either the total contributions received by or the total expenditures made by the candidate's campaign committee during the preprimary, postprimary, pregeneral, and postgeneral election periods combined equal more than five hundred dollars, the campaign committee may file the statement under division (H) (1) of this section only for the primary election. The first statement that the campaign committee files in regard to the general election shall reflect all contributions received and all expenditures made during the preprimary and postprimary election periods.	3703 3704 3705 3706 3707 3708 3709 3710 3711 3712 3713
(3) Divisions (H) (1) and (2) of this section do not apply if a campaign committee receives contributions or makes expenditures prior to the first day of January of the year of	3714 3715 3716

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the election at which the candidate seeks nomination or election to office or if the campaign committee does not file a termination statement with its postprimary election statement in the case of an unsuccessful primary election candidate or with its postgeneral election statement in the case of other candidates.	3717 3718 3719 3720 3721 3722
(I) In the case of a contribution made by a partner of a partnership or an owner or a member of another unincorporated business from any funds of the partnership or other unincorporated business, all of the following apply:	3723 3724 3725 3726
(1) The recipient of the contribution shall report the contribution by listing both the partnership or other unincorporated business and the name of the partner, owner, or member making the contribution.	3727 3728 3729 3730
(2) In reporting the contribution, the recipient of the contribution shall be entitled to conclusively rely upon the information provided by the partnership or other unincorporated business, provided that the information includes one of the following:	3731 3732 3733 3734 3735
(a) The name of each partner, owner, or member as of the date of the contribution or contributions, and a statement that the total contributions are to be allocated equally among all of the partners, owners, or members; or	3736 3737 3738 3739
(b) The name of each partner, owner, or member as of the date of the contribution or contributions who is participating in the contribution or contributions, and a statement that the contribution or contributions are to be allocated to those individuals in accordance with the information provided by the partnership or other unincorporated business to the recipient of	3740 3741 3742 3743 3744 3745

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the contribution.	3746
(3) For purposes of section 3517.102 of the Revised Code,	3747
the contribution shall be considered to have been made by the	3748
partner, owner, or member reported under division (I)(1) of this	3749
section.	3750
(4) No contribution from a partner of a partnership or an	3751
owner or a member of another unincorporated business shall be	3752
accepted from any funds of the partnership or other	3753
unincorporated business unless the recipient reports the	3754
contribution under division (I)(1) of this section together with	3755
the information provided under division (I)(2) of this section.	3756
(5) No partnership or other unincorporated business shall	3757
make a contribution or contributions solely in the name of the	3758
partnership or other unincorporated business.	3759
(6) As used in division (I) of this section, "partnership	3760
or other unincorporated business" includes, but is not limited	3761
to, a cooperative, a sole proprietorship, a general partnership,	3762
a limited partnership, a limited partnership association, a	3763
limited liability partnership, and a limited liability company.	3764
(J) A candidate shall have only one campaign committee at	3765
any given time for all of the offices for which the person is a	3766
candidate or holds office.	3767
(K) (1) In addition to filing a designation of appointment	3768
of a treasurer under division (D)(1) of this section, the	3769
campaign committee of any candidate for an elected municipal	3770
office that pays an annual amount of compensation of five	3771
thousand dollars or less, the campaign committee of any	3772
candidate for member of a board of education except member of	3773
the state board of education, or the campaign committee of any	3774

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candidate for township trustee or township fiscal officer may sign, under penalty of election falsification, a certificate attesting that the committee will not accept contributions during an election period that exceed in the aggregate two thousand dollars from all contributors and one hundred dollars from any one individual, and that the campaign committee will not make expenditures during an election period that exceed in the aggregate two thousand dollars.	3775 3776 3777 3778 3779 3780 3781 3782
The certificate shall be on a form prescribed by the secretary of state and shall be filed not later than ten days after the candidate files a declaration of candidacy and petition, a nominating petition, or a declaration of intent to be a write-in candidate.	3783 3784 3785 3786 3787
(2) Except as otherwise provided in division (K)(3) of this section, a campaign committee that files a certificate under division (K)(1) of this section is not required to file the statements required by division (A) of this section.	3788 3789 3790 3791
(3) If, after filing a certificate under division (K)(1) of this section, a campaign committee exceeds any of the limitations described in that division during an election period, the certificate is void and thereafter the campaign committee shall file the statements required by division (A) of this section. If the campaign committee has not previously filed a statement, then on the first statement the campaign committee is required to file under division (A) of this section after the committee's certificate is void, the committee shall report all contributions received and expenditures made from the time the candidate filed the candidate's declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate.	3792 3793 3794 3795 3796 3797 3798 3799 3800 3801 3802 3803 3804

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(4) As used in division (K) of this section, "election period" means the period of time beginning on the day a person files a declaration of candidacy and petition, nominating petition, or declaration of intent to be a write-in candidate through the day of the election at which the person seeks nomination to office if the person is not elected to office, or, if the candidate was nominated in a primary election, the day of the election at which the candidate seeks office.

(L) A political contributing entity that receives contributions from the dues, membership fees, or other assessments of its members or from its officers, shareholders, and employees may report the aggregate amount of contributions received from those contributors and the number of individuals making those contributions, for each filing period under divisions (A) (1), (2), (3), and (4) of this section, rather than reporting information as required under division (B) (4) of this section, including, when applicable, the name of the current employer, if any, of a contributor whose contribution exceeds one hundred dollars or, if such a contributor is self-employed, the contributor's occupation and the name of the contributor's business, if any. Division (B) (4) of this section applies to a political contributing entity with regard to contributions it receives from all other contributors.

Sec. 3517.12. (A) ~~Prior to receiving a contribution or making an expenditure, the circulator or If the committee in charge of an initiative or referendum petition, or supplementary petition for additional signatures, for the submission to the electors of a constitutional amendment, proposed law, section, or item of any law wishes to receive any contribution or make any expenditure for the purpose of achieving the successful circulation of the petition, the committee shall appoint a~~

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~~treasurer and shall file with the secretary of state, on a form prescribed by the secretary of state, a designation of that appointment, including the full name and address of the treasurer and of the circulator or committee~~file a designation of treasurer under division (D) of section 3517.10 of the Revised Code as a political action committee before receiving a contribution or making an expenditure and thereafter shall comply with all applicable requirements of this chapter concerning political action committees.

(B) ~~The circulator or If~~ the committee in charge of an initiative or referendum petition, or supplementary petition for additional signatures, for the submission to the electors of a constitutional amendment, proposed law, section, or item of any law receives no contributions and makes no expenditures for the purpose of achieving the successful circulation of the petition, and is not otherwise considered a campaign committee, political party, legislative campaign fund, political action committee, or political contributing entity, then the committee shall, within thirty days after ~~these~~the petition papers are is filed, file with the secretary of state, on a form prescribed by the secretary of state, ~~an itemized a statement,~~ made under penalty of election falsification, showing in detail the following:

~~(1) All money or things of value paid, given, promised, or received for circulating the petitions;~~

~~(2) All appointments, promotions, or increases in salary, in positions which were given, promised, or received, or to obtain which assistance was given, promised, or received as a consideration for work done in circulating petitions;~~

~~(3) Full names and addresses, including street, city, and state, of all persons to whom such payments or promises were~~

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made and of all persons from whom such payments or promises were received;	3866 3867
(4) Full names and addresses, including street, city, and state, of all persons who contributed anything of value to be used in circulating the petitions, and the amounts of those contributions;	3868 3869 3870 3871
(5) Time spent and salaries earned while soliciting signatures to petitions by persons who were regular salaried employees of some person or whom that employer authorized to solicit as part of their regular duties.	3872 3873 3874 3875
<u>If that the committee received no money or things of value were paid or received or if no promises were made or received as a consideration for work done in circulating a petition, the statement shall contain words to that effect contributions and made no expenditures for the purpose of achieving the successful circulation of the petition.</u>	3876 3877 3878 3879 3880 3881
(C) The treasurer designated under division (A) of this section shall file statements of contributions and expenditures in accordance with section 3517.10 of the Revised Code regarding all contributions made or received and all expenditures made by that treasurer or the circulator or committee in connection with the initiative or referendum petition, or supplementary petition for additional signatures, for the submission of a constitutional amendment, proposed law, section, or item of any law.	3882 3883 3884 3885 3886 3887 3888 3889 3890
Sec. 3517.13. (A) (1) No campaign committee of a statewide candidate shall fail to file a complete and accurate statement required under division (A) (1) of section 3517.10 of the Revised Code.	3891 3892 3893 3894

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(2) No campaign committee of a statewide candidate shall fail to file a complete and accurate monthly statement, and no campaign committee of a statewide candidate or a candidate for the office of chief justice or justice of the supreme court shall fail to file a complete and accurate two-business-day statement, as required under section 3517.10 of the Revised Code.	3895 3896 3897 3898 3899 3900 3901
As used in this division, "statewide candidate" has the same meaning as in division (F)(2) of section 3517.10 of the Revised Code.	3902 3903 3904
(B) No campaign committee shall fail to file a complete and accurate statement required under division (A)(1) of section 3517.10 of the Revised Code.	3905 3906 3907
(C) No campaign committee shall fail to file a complete and accurate statement required under division (A)(2) of section 3517.10 of the Revised Code.	3908 3909 3910
(D) No campaign committee shall fail to file a complete and accurate statement required under division (A)(3) or (4) of section 3517.10 of the Revised Code.	3911 3912 3913
(E) No person other than a campaign committee shall knowingly fail to file a statement required under section 3517.10 or 3517.107 of the Revised Code.	3914 3915 3916
(F) No person shall make cash contributions to any person totaling more than one hundred dollars in each primary, special, or general election.	3917 3918 3919
(G)(1) No person shall knowingly conceal or misrepresent contributions given or received, expenditures made, or any other information required to be reported by a provision in sections 3517.08 to 3517.13 of the Revised Code.	3920 3921 3922 3923

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(2) (a) No person shall make a contribution to a campaign committee, political action committee, political contributing entity, legislative campaign fund, political party, or person making disbursements to pay the direct costs of producing or airing electioneering communications in the name of another person.	3924 3925 3926 3927 3928 3929
(b) A person does not make a contribution in the name of another when either of the following applies:	3930 3931
(i) An individual makes a contribution from a partnership or other unincorporated business account, if the contribution is reported by listing both the name of the partnership or other unincorporated business and the name of the partner or owner making the contribution as required under division (I) of section 3517.10 of the Revised Code.	3932 3933 3934 3935 3936 3937
(ii) A person makes a contribution in that person's spouse's name or in both of their names.	3938 3939
(H) No person within this state, publishing a newspaper or other periodical, shall charge a campaign committee for political advertising a rate in excess of the rate such person would charge if the campaign committee were a general rate advertiser whose advertising was directed to promoting its business within the same area as that encompassed by the particular office that the candidate of the campaign committee is seeking. The rate shall take into account the amount of space used, as well as the type of advertising copy submitted by or on behalf of the campaign committee. All discount privileges otherwise offered by a newspaper or periodical to general rate advertisers shall be available upon equal terms to all campaign committees.	3940 3941 3942 3943 3944 3945 3946 3947 3948 3949 3950 3951 3952

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No person within this state, operating a radio or	3953
television station or network of stations in this state, shall	3954
charge a campaign committee for political broadcasts a rate that	3955
exceeds:	3956
(1) During the forty-five days preceding the date of a	3957
primary election and during the sixty days preceding the date of	3958
a general or special election in which the candidate of the	3959
campaign committee is seeking office, the lowest unit charge of	3960
the station for the same class and amount of time for the same	3961
period;	3962
(2) At any other time, the charges made for comparable use	3963
of that station by its other users.	3964
(I) Subject to divisions (K), (L), (M), and (N) of this	3965
section, no agency or department of this state or any political	3966
subdivision shall award any contract, other than one let by	3967
competitive bidding or a contract incidental to such contract or	3968
which is by force account, for the purchase of goods costing	3969
more than five hundred dollars or services costing more than	3970
five hundred dollars to any individual, partnership,	3971
association, including, without limitation, a professional	3972
association organized under Chapter 1785. of the Revised Code,	3973
estate, or trust if the individual has made or the individual's	3974
spouse has made, or any partner, shareholder, administrator,	3975
executor, or trustee or the spouse of any of them has made, as	3976
an individual, within the two previous calendar years, one or	3977
more contributions totaling in excess of one thousand dollars to	3978
the holder of the public office having ultimate responsibility	3979
for the award of the contract or to the public officer's	3980
campaign committee.	3981
(J) Subject to divisions (K), (L), (M), and (N) of this	3982

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section, no agency or department of this state or any political 3983
 subdivision shall award any contract, other than one let by 3984
 competitive bidding or a contract incidental to such contract or 3985
 which is by force account, for the purchase of goods costing 3986
 more than five hundred dollars or services costing more than 3987
 five hundred dollars to a corporation or business trust, except 3988
 a professional association organized under Chapter 1785. of the 3989
 Revised Code, if an owner of more than twenty per cent of the 3990
 corporation or business trust or the spouse of that person has 3991
 made, as an individual, within the two previous calendar years, 3992
 taking into consideration only owners for all of that period, 3993
 one or more contributions totaling in excess of one thousand 3994
 dollars to the holder of a public office having ultimate 3995
 responsibility for the award of the contract or to the public 3996
 officer's campaign committee. 3997

(K) For purposes of divisions (I) and (J) of this section, 3998
 if a public officer who is responsible for the award of a 3999
 contract is appointed by the governor, whether or not the 4000
 appointment is subject to the advice and consent of the senate, 4001
 excluding members of boards, commissions, committees, 4002
 authorities, councils, boards of trustees, task forces, and 4003
 other such entities appointed by the governor, the office of the 4004
 governor is considered to have ultimate responsibility for the 4005
 award of the contract. 4006

(L) For purposes of divisions (I) and (J) of this section, 4007
 if a public officer who is responsible for the award of a 4008
 contract is appointed by the elected chief executive officer of 4009
 a municipal corporation, or appointed by the elected chief 4010
 executive officer of a county operating under an alternative 4011
 form of county government or county charter, excluding members 4012
 of boards, commissions, committees, authorities, councils, 4013

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boards of trustees, task forces, and other such entities 4014
 appointed by the chief executive officer, the office of the 4015
 chief executive officer is considered to have ultimate 4016
 responsibility for the award of the contract. 4017

(M) (1) Divisions (I) and (J) of this section do not apply 4018
 to contracts awarded by the board of commissioners of the 4019
 sinking fund, municipal legislative authorities, boards of 4020
 education, boards of county commissioners, boards of township 4021
 trustees, or other boards, commissions, committees, authorities, 4022
 councils, boards of trustees, task forces, and other such 4023
 entities created by law, by the supreme court or courts of 4024
 appeals, by county courts consisting of more than one judge, 4025
 courts of common pleas consisting of more than one judge, or 4026
 municipal courts consisting of more than one judge, or by a 4027
 division of any court if the division consists of more than one 4028
 judge. This division shall apply to the specified entity only if 4029
 the members of the entity act collectively in the award of a 4030
 contract for goods or services. 4031

(2) Divisions (I) and (J) of this section do not apply to 4032
 actions of the controlling board. 4033

(N) (1) Divisions (I) and (J) of this section apply to 4034
 contributions made to the holder of a public office having 4035
 ultimate responsibility for the award of a contract, or to the 4036
 public officer's campaign committee, during the time the person 4037
 holds the office and during any time such person was a candidate 4038
 for the office. Those divisions do not apply to contributions 4039
 made to, or to the campaign committee of, a candidate for or 4040
 holder of the office other than the holder of the office at the 4041
 time of the award of the contract. 4042

(2) Divisions (I) and (J) of this section do not apply to 4043

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contributions of a partner, shareholder, administrator,	4044
executor, trustee, or owner of more than twenty per cent of a	4045
corporation or business trust made before the person held any of	4046
those positions or after the person ceased to hold any of those	4047
positions in the partnership, association, estate, trust,	4048
corporation, or business trust whose eligibility to be awarded a	4049
contract is being determined, nor to contributions of the	4050
person's spouse made before the person held any of those	4051
positions, after the person ceased to hold any of those	4052
positions, before the two were married, after the granting of a	4053
decree of divorce, dissolution of marriage, or annulment, or	4054
after the granting of an order in an action brought solely for	4055
legal separation. Those divisions do not apply to contributions	4056
of the spouse of an individual whose eligibility to be awarded a	4057
contract is being determined made before the two were married,	4058
after the granting of a decree of divorce, dissolution of	4059
marriage, or annulment, or after the granting of an order in an	4060
action brought solely for legal separation.	4061
(O) No beneficiary of a campaign fund or other person	4062
shall convert for personal use, and no person shall knowingly	4063
give to a beneficiary of a campaign fund or any other person,	4064
for the beneficiary's or any other person's personal use,	4065
anything of value from the beneficiary's campaign fund,	4066
including, without limitation, payments to a beneficiary for	4067
services the beneficiary personally performs, except as	4068
reimbursement for any of the following:	4069
(1) Legitimate and verifiable prior campaign expenses	4070
incurred by the beneficiary;	4071
(2) Legitimate and verifiable ordinary and necessary prior	4072
expenses incurred by the beneficiary in connection with duties	4073

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as the holder of a public office, including, without limitation, expenses incurred through participation in nonpartisan or bipartisan events if the participation of the holder of a public office would normally be expected;	4074 4075 4076 4077
(3) Legitimate and verifiable ordinary and necessary prior expenses incurred by the beneficiary while doing any of the following:	4078 4079 4080
(a) Engaging in activities in support of or opposition to a candidate other than the beneficiary, political party, or ballot issue;	4081 4082 4083
(b) Raising funds for a political party, political action committee, political contributing entity, legislative campaign fund, campaign committee, or other candidate;	4084 4085 4086
(c) Participating in the activities of a political party, political action committee, political contributing entity, legislative campaign fund, or campaign committee;	4087 4088 4089
(d) Attending a political party convention or other political meeting.	4090 4091
For purposes of this division, an expense is incurred whenever a beneficiary has either made payment or is obligated to make payment, as by the use of a credit card or other credit procedure or by the use of goods or services received on account.	4092 4093 4094 4095 4096
(P) No beneficiary of a campaign fund shall knowingly accept, and no person shall knowingly give to the beneficiary of a campaign fund, reimbursement for an expense under division (O) of this section to the extent that the expense previously was reimbursed or paid from another source of funds. If an expense is reimbursed under division (O) of this section and is later	4097 4098 4099 4100 4101 4102

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paid or reimbursed, wholly or in part, from another source of 4103
 funds, the beneficiary shall repay the reimbursement received 4104
 under division (O) of this section to the extent of the payment 4105
 made or reimbursement received from the other source. 4106

(Q) No candidate or public official or employee shall 4107
 accept for personal or business use anything of value from a 4108
 political party, political action committee, political 4109
 contributing entity, legislative campaign fund, or campaign 4110
 committee other than the candidate's or public official's or 4111
 employee's own campaign committee, and no person shall knowingly 4112
 give to a candidate or public official or employee anything of 4113
 value from a political party, political action committee, 4114
 political contributing entity, legislative campaign fund, or 4115
 such a campaign committee, except for the following: 4116

(1) Reimbursement for legitimate and verifiable ordinary 4117
 and necessary prior expenses not otherwise prohibited by law 4118
 incurred by the candidate or public official or employee while 4119
 engaged in any legitimate activity of the political party, 4120
 political action committee, political contributing entity, 4121
 legislative campaign fund, or such campaign committee. Without 4122
 limitation, reimbursable expenses under this division include 4123
 those incurred while doing any of the following: 4124

(a) Engaging in activities in support of or opposition to 4125
 another candidate, political party, or ballot issue; 4126

(b) Raising funds for a political party, legislative 4127
 campaign fund, campaign committee, or another candidate; 4128

(c) Attending a political party convention or other 4129
 political meeting. 4130

(2) Compensation not otherwise prohibited by law for 4131

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actual and valuable personal services rendered under a written 4132
 contract to the political party, political action committee, 4133
 political contributing entity, legislative campaign fund, or 4134
 such campaign committee for any legitimate activity of the 4135
 political party, political action committee, political 4136
 contributing entity, legislative campaign fund, or such campaign 4137
 committee. 4138

Reimbursable expenses under this division do not include, 4139
 and it is a violation of this division for a candidate or public 4140
 official or employee to accept, or for any person to knowingly 4141
 give to a candidate or public official or employee from a 4142
 political party, political action committee, political 4143
 contributing entity, legislative campaign fund, or campaign 4144
 committee other than the candidate's or public official's or 4145
 employee's own campaign committee, anything of value for 4146
 activities primarily related to the candidate's or public 4147
 official's or employee's own campaign for election, except for 4148
 contributions to the candidate's or public official's or 4149
 employee's campaign committee. 4150

For purposes of this division, an expense is incurred 4151
 whenever a candidate or public official or employee has either 4152
 made payment or is obligated to make payment, as by the use of a 4153
 credit card or other credit procedure, or by the use of goods or 4154
 services on account. 4155

(R) (1) Division (O) or (P) of this section does not 4156
 prohibit a campaign committee from making direct advance or post 4157
 payment from contributions to vendors for goods and services for 4158
 which reimbursement is permitted under division (O) of this 4159
 section, except that no campaign committee shall pay its 4160
 candidate or other beneficiary for services personally performed 4161

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by the candidate or other beneficiary.	4162
(2) If any expense that may be reimbursed under division	4163
(O), (P), or (Q) of this section is part of other expenses that	4164
may not be paid or reimbursed, the separation of the two types	4165
of expenses for the purpose of allocating for payment or	4166
reimbursement those expenses that may be paid or reimbursed may	4167
be by any reasonable accounting method, considering all of the	4168
surrounding circumstances.	4169
(3) For purposes of divisions (O), (P), and (Q) of this	4170
section, mileage allowance at a rate not greater than that	4171
allowed by the internal revenue service at the time the travel	4172
occurs may be paid instead of reimbursement for actual travel	4173
expenses allowable.	4174
(S) (1) As used in division (S) of this section:	4175
(a) "State elective office" has the same meaning as in	4176
section 3517.092 of the Revised Code.	4177
(b) "Federal office" means a federal office as defined in	4178
the Federal Election Campaign Act.	4179
(c) "Federal campaign committee" means a principal	4180
campaign committee or authorized committee as defined in the	4181
Federal Election Campaign Act.	4182
(2) No person who is a candidate for state elective office	4183
and who previously sought nomination or election to a federal	4184
office shall transfer any funds or assets from that person's	4185
federal campaign committee for nomination or election to the	4186
federal office to that person's campaign committee as a	4187
candidate for state elective office.	4188
(3) No campaign committee of a person who is a candidate	4189

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for state elective office and who previously sought nomination
 or election to a federal office shall accept any funds or assets
 from that person's federal campaign committee for that person's
 nomination or election to the federal office. 4190
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(T) (1) Except as otherwise provided in division (B) (6) (c)
 of section 3517.102 of the Revised Code, a state or county
 political party shall not disburse moneys from any account other
 than a state candidate fund to make contributions to any of the
 following: 4194
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(a) A state candidate fund; 4199

(b) A legislative campaign fund; 4200

(c) A campaign committee of a candidate for the office of
 governor, lieutenant governor, secretary of state, auditor of
 state, treasurer of state, attorney general, member of the state
 board of education, or member of the general assembly. 4201
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(2) No state candidate fund, legislative campaign fund, or
 campaign committee of a candidate for any office described in
 division (T) (1) (c) of this section shall knowingly accept a
 contribution in violation of division (T) (1) of this section. 4205
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(U) No person shall fail to file a statement required
 under section 3517.12 of the Revised Code. 4209
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(V) No campaign committee shall fail to file a statement
 required under division (K) (3) of section 3517.10 of the Revised
 Code. 4211
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(W) (1) No foreign national shall, directly or indirectly
 through any other person or entity, ~~make knowingly do any of the~~
following: 4214
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 4216

(a) Make a contribution, expenditure, or independent 4217

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expenditure or promise, either expressly or implicitly, to make 4218
 a contribution, expenditure, or independent expenditure ~~in support of or opposition to a candidate for any elective office in this state, including an office of a political party;~~ 4219
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(b) Solicit another person to make a contribution, expenditure, or independent expenditure; 4222
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(c) Make a loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds to another person with a designation, instruction, or encumbrance that the foreign national knows will result in any part of the loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds being used to make a contribution, expenditure, or independent expenditure. As used in this division, "designation, instruction, or encumbrance" includes any designation, instruction, or encumbrance that is direct or indirect, express or implied, oral or written, or involving an intermediary or conduit. 4224
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(2) No candidate, campaign committee, political action committee, political contributing entity, legislative campaign fund, state candidate fund, political party, or separate segregated fund, or continuing association shall do either of the following: 4235
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(a) Knowingly transfer funds, or accept a transfer of funds, directly or indirectly into an account from which the person makes contributions or expenditures from an account that is controlled by the person or by the person's affiliate and that the person, at any time, knew to contain funds described in division (W) (1) of this section that are received directly or indirectly through another person or entity from a foreign national. For purposes of this division, a person is affiliated 4240
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with another person if they are both established, financed, 4248
maintained, or controlled by, or if they are, the same person, 4249
including any parent, subsidiary, division, or department of 4250
that person. 4251

(b) Otherwise knowingly solicit or accept a contribution, 4252
expenditure, or independent expenditure, directly or indirectly 4253
through another person or entity, from a foreign national. ~~The~~ 4254
~~secretary of state may direct any candidate, committee, entity,~~ 4255
~~fund, or party that accepts a contribution, expenditure, or~~ 4256
~~independent expenditure in violation of this division to return~~ 4257
~~the contribution, expenditure, or independent expenditure or, if~~ 4258
~~it is not possible to return the contribution, expenditure, or~~ 4259
~~independent expenditure, then to return instead the value of it,~~ 4260
~~to the contributor.~~ 4261

(3) No person shall knowingly aid or facilitate a 4262
violation of division (W) (1) or (2) of this section. 4263

(4) As used in division (W) of this section, "foreign 4264
~~national" has the same meaning as in section 441e(b) of the~~ 4265
~~Federal Election Campaign Act means any of the following, as~~ 4266
applicable: 4267

(a) In the case of an individual, an individual who is not 4268
a United States citizen or national; 4269

(b) A government of a foreign country or of a political 4270
subdivision of a foreign country; 4271

(c) A foreign political party; 4272

(d) A person, other than an individual, that is organized 4273
under the laws of, or has its principal place of business in, a 4274
foreign country. 4275

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(X) (1) No state or county political party shall transfer any moneys from its restricted fund to any account of the political party into which contributions may be made or from which contributions or expenditures may be made.	4276 4277 4278 4279
(2) (a) No state or county political party shall deposit a contribution or contributions that it receives into its restricted fund.	4280 4281 4282
(b) No state or county political party shall make a contribution or an expenditure from its restricted fund.	4283 4284
(3) (a) No corporation or labor organization shall make a gift or gifts from the corporation's or labor organization's money or property aggregating more than ten thousand dollars to any one state or county political party for the party's restricted fund in a calendar year.	4285 4286 4287 4288 4289
(b) No state or county political party shall accept a gift or gifts for the party's restricted fund aggregating more than ten thousand dollars from any one corporation or labor organization in a calendar year.	4290 4291 4292 4293
(4) No state or county political party shall transfer any moneys in the party's restricted fund to any other state or county political party.	4294 4295 4296
(5) No state or county political party shall knowingly fail to file a statement required under section 3517.1012 of the Revised Code.	4297 4298 4299
(Y) The administrator of workers' compensation and the employees of the bureau of workers' compensation shall not conduct any business with or award any contract, other than one awarded by competitive bidding, for the purchase of goods costing more than five hundred dollars or services costing more	4300 4301 4302 4303 4304

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than five hundred dollars to any individual, partnership,	4305
association, including, without limitation, a professional	4306
association organized under Chapter 1785. of the Revised Code,	4307
estate, or trust, if the individual has made, or the	4308
individual's spouse has made, or any partner, shareholder,	4309
administrator, executor, or trustee, or the spouses of any of	4310
those individuals has made, as an individual, within the two	4311
previous calendar years, one or more contributions totaling in	4312
excess of one thousand dollars to the campaign committee of the	4313
governor or lieutenant governor or to the campaign committee of	4314
any candidate for the office of governor or lieutenant governor.	4315
(Z) The administrator of workers' compensation and the	4316
employees of the bureau of workers' compensation shall not	4317
conduct business with or award any contract, other than one	4318
awarded by competitive bidding, for the purchase of goods	4319
costing more than five hundred dollars or services costing more	4320
than five hundred dollars to a corporation or business trust,	4321
except a professional association organized under Chapter 1785.	4322
of the Revised Code, if an owner of more than twenty per cent of	4323
the corporation or business trust, or the spouse of the owner,	4324
has made, as an individual, within the two previous calendar	4325
years, taking into consideration only owners for all of such	4326
period, one or more contributions totaling in excess of one	4327
thousand dollars to the campaign committee of the governor or	4328
lieutenant governor or to the campaign committee of any	4329
candidate for the office of governor or lieutenant governor.	4330
Sec. 3517.155. (A) (1) Except as otherwise provided in	4331
division (B) of this section, the Ohio elections commission	4332
shall hold its first hearing on a complaint filed with it, other	4333
than a complaint that receives an expedited hearing under	4334
section 3517.156 of the Revised Code, not later than ninety	4335

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business days after the complaint is filed unless the commission
 has good cause to hold the hearing after that time, in which
 case it shall hold the hearing not later than one hundred eighty
 business days after the complaint is filed. At the hearing, the
 commission shall determine whether or not the failure to act or
 the violation alleged in the complaint has occurred and shall do
 only one of the following, except as otherwise provided in
~~division (B) of~~ this section or in division (B) of section
 3517.151 of the Revised Code:

(a) Enter a finding that good cause has been shown not to
 impose a fine or not to refer the matter to the appropriate
 prosecutor;

(b) Impose a fine under section 3517.993 of the Revised
 Code;

(c) Refer the matter to the appropriate prosecutor.
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(2) As used in division (A) of this section, "appropriate
 prosecutor" means ~~a prosecutor as defined in section 2935.01 of~~
~~the Revised Code and either of the following:~~
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(a) In the case of a failure to comply with or a violation
 of law involving a campaign committee or the committee's
 candidate, a political party, a legislative campaign fund, a
 political action committee, or a political contributing entity,
 that is required to file a statement of contributions and
 expenditures with the secretary of state under division (A) of
 section 3517.11 of the Revised Code, ~~the prosecutor of Franklin~~
~~county attorney general, except that if the attorney general is~~
~~a victim or witness or otherwise involved in the matter,~~
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"appropriate prosecutor" means a county prosecutor whom the
 commission deems appropriate to prosecute the matter;

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(b) In the case of a failure to comply with or a violation
of law involving any other campaign committee or committee's
candidate, or any other political party, political action
committee, or political contributing entity, either of the
following as determined by the commission: 4365
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(i) The prosecutor of Franklin county attorney general, 4370
except that if the attorney general is a victim or witness or 4371
otherwise involved in the matter, the commission shall refer the 4372
matter to the prosecutor described in division (A) (2) (b) (ii) of 4373
this section; 4374

(ii) The prosecutor of the county in which the candidacy
or ballot question or issue is submitted to the electors or, if
it is submitted in more than one county, the most populous of
those counties, except that if that prosecutor is a victim or 4375
witness or otherwise involved in the matter, the commission 4376
shall refer the matter to the attorney general. 4377
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(3) When the commission refers a matter to the attorney 4381
general under this section, or when the attorney general assumes 4382
responsibility for the prosecution of a matter under division 4383
(D) (3) (b) of this section, the attorney general may prosecute 4384
the matter with all the rights, privileges, and powers conferred 4385
by law on prosecuting attorneys, including the power to appear 4386
before grand juries and to interrogate witnesses before such 4387
grand juries. These powers of the attorney general are in 4388
addition to any other applicable powers of the attorney general. 4389

(B) If the commission decides that the evidence is
insufficient for it to determine whether or not the failure to
act or the violation alleged in the complaint has occurred, the
commission, by the affirmative vote of five members, may request
that an investigatory attorney investigate the complaint. Upon 4390
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that request, an investigatory attorney shall make an 4395
 investigation in order to produce sufficient evidence for the 4396
 commission to decide the matter. If the commission requests an 4397
 investigation under this division, for good cause shown by the 4398
 investigatory attorney, the commission may extend by sixty days 4399
 the deadline for holding its first hearing on the complaint as 4400
 required in division (A) of this section. 4401

(C) The commission shall take one of the actions required 4402
 under division (A) of this section not later than thirty days 4403
 after the close of all the evidence presented. 4404

(D) (1) The commission shall make any finding of a failure 4405
 to comply with or a violation of law in regard to a complaint 4406
 that alleges a violation of division (A) or (B) of section 4407
 3517.21, or division (A) or (B) of section 3517.22 of the 4408
 Revised Code by clear and convincing evidence. The commission 4409
 shall make any finding of a failure to comply with or a 4410
 violation of law in regard to any other complaint by a 4411
 preponderance of the evidence. 4412

(2) If the commission finds a violation of division (B) of 4413
 section 3517.21 or division (B) of section 3517.22 of the 4414
 Revised Code, it shall refer the matter to the appropriate 4415
 prosecutor under division (A)(1)(c) of this section and shall 4416
 not impose a fine under division (A)(1)(b) of this section or 4417
 section 3517.993 of the Revised Code. 4418

(3) (a) If the commission finds a violation of division (W) 4419
of section 3517.13 of the Revised Code, it shall do one of the 4420
following: 4421

(i) Impose a fine under section 3517.993 of the Revised 4422
Code in an amount equal to three times the amount involved in 4423

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<u>the violation or ten thousand dollars, whichever amount is greater, with none of the fine suspended and, in the case of a violation of division (W) (2) of section 3517.13 of the Revised Code, order the violator to return an amount equal to any amount accepted in violation of that division to the foreign national from whom it was accepted;</u>	4424 4425 4426 4427 4428 4429
 <u>(ii) Refer the matter to the appropriate prosecutor.</u>	
<u>(b) (i) Except as otherwise provided in division (D) (3) (b) (ii) of this section, if the commission finds a violation of division (W) of section 3517.13 of the Revised Code and refers the matter to a county prosecutor under division (A) (2) (b) (ii) of this section, upon the request of the prosecutor to whom the commission refers the matter or upon the attorney general's own initiative, the attorney general may assume responsibility for the prosecution of the matter.</u>	
<u>(ii) Division (D) (3) (b) (i) of this section does not apply to any matter in which the attorney general is a victim or witness or is otherwise involved.</u>	
 <u>(E) In an action before the commission or a panel of the commission, if the allegations of the complainant are not proved, and the commission takes the action described in division (A) (1) (a) of this section or a panel of the commission takes the action described in division (C) (1) of section 3517.156 of the Revised Code, the commission or a panel of the commission may find that the complaint is frivolous, and, if the commission or panel so finds, the commission shall order the complainant to pay reasonable attorney's fees and to pay the costs of the commission or panel as determined by a majority of the members of the commission. The costs paid to the commission or panel under this division shall be deposited into the Ohio</u>	
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elections commission fund.	4454
Sec. 3517.992. This section establishes penalties only with respect to acts or failures to act that occur on and after August 24, 1995.	4455
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(A) (1) A candidate whose campaign committee violates division (A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, or a treasurer of a campaign committee who violates any of those divisions, shall be fined not more than one hundred dollars for each day of violation.	4458
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(2) Whoever violates division (E) or (X)(5) of section 3517.13 or division (E)(1) of section 3517.1014 of the Revised Code shall be fined not more than one hundred dollars for each day of violation.	4463
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(B) An entity that violates division (G)(1) of section 3517.101 of the Revised Code shall be fined not more than one hundred dollars for each day of violation.	4467
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	4469
(C) Whoever violates division (G)(2) of section 3517.101, division (G) of section 3517.13, or division (E)(2) or (3) of section 3517.1014 of the Revised Code shall be fined not more than ten thousand dollars or, if the offender is a person who was nominated or elected to public office, shall forfeit the nomination or the office to which the offender was elected, or both.	4470
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	4476
(D) Whoever violates division (F) of section 3517.13 of the Revised Code shall be fined not more than three times the amount contributed.	4477
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	4479
(E) Whoever violates division (H) of section 3517.13 of the Revised Code shall be fined not more than one hundred dollars.	4480
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	4482

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(F) Whoever violates division (O), (P), or (Q) of section 3517.13 of the Revised Code is guilty of a misdemeanor of the first degree.	4483 4484 4485
(G) A state or county committee of a political party that violates division (B)(1) of section 3517.18 of the Revised Code as that section existed before its repeal by H.B. 166 of the 133rd general assembly shall be fined not more than twice the amount of the improper expenditure.	4486 4487 4488 4489 4490
(H) An entity that violates division (H) of section 3517.101 of the Revised Code shall be fined not more than twice the amount of the improper expenditure or use.	4491 4492 4493
(I) (1) Any individual who violates division (B)(1) of section 3517.102 of the Revised Code and knows that the contribution the individual makes violates that division shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.	4494 4495 4496 4497 4498
(2) Any political action committee that violates division (B)(2) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.	4499 4500 4501 4502
(3) Any campaign committee that violates division (B)(3) or (5) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.	4503 4504 4505 4506
(4) (a) Any legislative campaign fund that violates division (B)(6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount transferred or contributed in excess of the amount permitted by that division, as applicable.	4507 4508 4509 4510 4511

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(b) Any state political party, county political party, or state candidate fund of a state political party or county political party that violates division (B) (6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount transferred or contributed in excess of the amount permitted by that division, as applicable.	4512 4513 4514 4515 4516 4517
(c) Any political contributing entity that violates division (B) (7) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.	4518 4519 4520 4521
(5) Any political party that violates division (B) (4) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.	4522 4523 4524 4525
(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) of this section, no violation of division (B) of section 3517.102 of the Revised Code occurs, and the secretary of state shall not refer parties to the Ohio elections commission, if the amount transferred or contributed in excess of the amount permitted by that division meets either of the following conditions:	4526 4527 4528 4529 4530 4531 4532
(a) It is completely refunded within five business days after it is accepted.	4533 4534
(b) It is completely refunded on or before the tenth business day after notification to the recipient of the excess transfer or contribution by the board of elections or the secretary of state that a transfer or contribution in excess of the permitted amount has been received.	4535 4536 4537 4538 4539
(J) (1) Any campaign committee that violates division (C)	4540

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(1), (2), (3), or (6) of section 3517.102 of the Revised Code	4541
shall be fined an amount equal to three times the amount	4542
accepted in excess of the amount permitted by that division.	4543
(2) (a) Any county political party that violates division	4544
(C) (4) (a) (ii) or (iii) of section 3517.102 of the Revised Code	4545
shall be fined an amount equal to three times the amount	4546
accepted.	4547
(b) Any county political party that violates division (C)	4548
(4) (a) (i) of section 3517.102 of the Revised Code shall be fined	4549
an amount from its state candidate fund equal to three times the	4550
amount accepted in excess of the amount permitted by that	4551
division.	4552
(c) Any state political party that violates division (C)	4553
(4) (b) of section 3517.102 of the Revised Code shall be fined an	4554
amount from its state candidate fund equal to three times the	4555
amount accepted in excess of the amount permitted by that	4556
division.	4557
(3) Any legislative campaign fund that violates division	4558
(C) (5) of section 3517.102 of the Revised Code shall be fined an	4559
amount equal to three times the amount accepted in excess of the	4560
amount permitted by that division.	4561
(4) Any political action committee or political	4562
contributing entity that violates division (C) (7) of section	4563
3517.102 of the Revised Code shall be fined an amount equal to	4564
three times the amount accepted in excess of the amount	4565
permitted by that division.	4566
(5) Notwithstanding divisions (J) (1), (2), (3), and (4) of	4567
this section, no violation of division (C) of section 3517.102	4568
of the Revised Code occurs, and the secretary of state shall not	4569

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refer parties to the Ohio elections commission, if the amount	4570
transferred or contributed in excess of the amount permitted to	4571
be accepted by that division meets either of the following	4572
conditions:	4573
(a) It is completely refunded within five business days	4574
after its acceptance.	4575
(b) It is completely refunded on or before the tenth	4576
business day after notification to the recipient of the excess	4577
transfer or contribution by the board of elections or the	4578
secretary of state that a transfer or contribution in excess of	4579
the permitted amount has been received.	4580
(K) (1) Any legislative campaign fund that violates	4581
division (F) (1) of section 3517.102 of the Revised Code shall be	4582
fined twenty-five dollars for each day of violation.	4583
(2) Any legislative campaign fund that violates division	4584
(F) (2) of section 3517.102 of the Revised Code shall give to the	4585
treasurer of state for deposit into the state treasury to the	4586
credit of the Ohio elections commission fund all excess	4587
contributions not disposed of as required by division (E) of	4588
section 3517.102 of the Revised Code.	4589
(L) Whoever violates section 3517.105 of the Revised Code	4590
shall be fined one thousand dollars.	4591
(M) (1) Whoever solicits a contribution in violation of	4592
section 3517.092 or violates division (B) of section 3517.09 of	4593
the Revised Code is guilty of a misdemeanor of the first degree.	4594
(2) Whoever knowingly accepts a contribution in violation	4595
of division (B) or (C) of section 3517.092 of the Revised Code	4596
shall be fined an amount equal to three times the amount	4597
accepted in violation of either of those divisions and shall	4598

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return to the contributor any amount so accepted. Whoever 4599
 unknowingly accepts a contribution in violation of division (B) 4600
 or (C) of section 3517.092 of the Revised Code shall return to 4601
 the contributor any amount so accepted. 4602

(N) Whoever violates division (S) of section 3517.13 of 4603
 the Revised Code shall be fined an amount equal to three times 4604
 the amount of funds transferred or three times the value of the 4605
 assets transferred in violation of that division. 4606

(O) Any campaign committee that accepts a contribution or 4607
 contributions in violation of section 3517.108 of the Revised 4608
 Code, uses a contribution in violation of that section, or fails 4609
 to dispose of excess contributions in violation of that section 4610
 shall be fined an amount equal to three times the amount 4611
 accepted, used, or kept in violation of that section. 4612

(P) Any political party, state candidate fund, legislative 4613
 candidate fund, or campaign committee that violates division (T) 4614
 of section 3517.13 of the Revised Code shall be fined an amount 4615
 equal to three times the amount contributed or accepted in 4616
 violation of that section. 4617

(Q) A treasurer of a committee or another person who 4618
 violates division (U) of section 3517.13 of the Revised Code 4619
 shall be fined not more than two hundred fifty dollars. 4620

(R) Whoever violates division (I) or (J) of section 4621
 3517.13 of the Revised Code shall be fined not more than one 4622
 thousand dollars. Whenever a person is found guilty of violating 4623
 division (I) or (J) of section 3517.13 of the Revised Code, the 4624
 contract awarded in violation of either of those divisions shall 4625
 be rescinded if its terms have not yet been performed. 4626

(S) A candidate whose campaign committee violates or a 4627

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treasurer of a campaign committee who violates section 3517.081	4628
of the Revised Code, and a candidate whose campaign committee	4629
violates or a treasurer of a campaign committee or another	4630
person who violates division (C) of section 3517.10 of the	4631
Revised Code, shall be fined not more than five hundred dollars.	4632
(T) A candidate whose campaign committee violates or a	4633
treasurer of a committee who violates division (B) of section	4634
3517.09 of the Revised Code, or a candidate whose campaign	4635
committee violates or a treasurer of a campaign committee or	4636
another person who violates division (C) of section 3517.09 of	4637
the Revised Code shall be fined not more than one thousand	4638
dollars.	4639
(U) Whoever violates section 3517.20 of the Revised Code	4640
shall be fined not more than five hundred dollars.	4641
(V) Whoever violates section 3517.21 or 3517.22 of the	4642
Revised Code shall be imprisoned for not more than six months or	4643
fined not more than five thousand dollars, or both.	4644
(W) A campaign committee that is required to file a	4645
declaration of no limits under division (D)(2) of section	4646
3517.103 of the Revised Code that, before filing that	4647
declaration, accepts a contribution or contributions that exceed	4648
the limitations prescribed in section 3517.102 of the Revised	4649
Code, shall return that contribution or those contributions to	4650
the contributor.	4651
(X) Any campaign committee that fails to file the	4652
declaration of filing-day finances required by division (F) of	4653
section 3517.109 of the Revised Code shall be fined twenty-five	4654
dollars for each day of violation.	4655
(Y) (1) Any campaign committee that fails to dispose of	4656

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excess funds or excess aggregate contributions under division 4657
(B) of section 3517.109 of the Revised Code in the manner 4658
required by division (C) of that section shall give to the 4659
treasurer of state for deposit into the Ohio elections 4660
commission fund created under division (I) of section 3517.152 4661
of the Revised Code all funds not disposed of pursuant to that 4662
division. 4663

(2) Any treasurer of a transition fund that fails to 4664
dispose of assets remaining in the transition fund as required 4665
under division (H)(1) or (2) of section 3517.1014 of the Revised 4666
Code shall give to the treasurer of state for deposit into the 4667
Ohio elections commission fund all assets not disposed of 4668
pursuant to that division. 4669

(Z) Any individual, campaign committee, political action 4670
committee, political contributing entity, legislative campaign 4671
fund, political party, treasurer of a transition fund, or other 4672
entity that violates any provision of sections 3517.09 to 4673
3517.12 of the Revised Code for which no penalty is provided for 4674
under any other division of this section shall be fined not more 4675
than one thousand dollars. 4676

(AA) (1) Whoever knowingly violates division (W)(1) of 4677
section 3517.13 of the Revised Code shall be fined an amount 4678
equal to three times the amount contributed, expended, or 4679
promised in violation of that division or ten thousand dollars, 4680
whichever amount is greater. 4681

(2) Whoever knowingly violates division (W)(2) of section 4682
3517.13 of the Revised Code shall be fined an amount equal to 4683
three times the amount solicited or accepted in violation of 4684
that division or ten thousand dollars, whichever amount is 4685
greater, and shall be required to return an amount equal to any 4686

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amount accepted in violation of that division to the foreign 4687
national from whom it was accepted. 4688

(3) Whoever knowingly violates division (W) (3) of section 4689
3517.13 of the Revised Code shall be fined an amount equal to 4690
three times the amount involved in the violation or ten thousand 4691
dollars, whichever amount is greater. 4692

(BB) Whoever knowingly violates division (C) or (D) of 4693
 section 3517.1011 of the Revised Code shall be fined not more 4694
 than ten thousand dollars plus not more than one thousand 4695
 dollars for each day of violation. 4696

(CC) (1) Subject to division (CC) (2) of this section, 4697
 whoever violates division (H) of section 3517.1011 of the 4698
 Revised Code shall be fined an amount up to three times the 4699
 amount disbursed for the direct costs of airing the 4700
 communication made in violation of that division. 4701

(2) Whoever has been ordered by the Ohio elections 4702
 commission or by a court of competent jurisdiction to cease 4703
 making communications in violation of division (H) of section 4704
 3517.1011 of the Revised Code who again violates that division 4705
 shall be fined an amount equal to three times the amount 4706
 disbursed for the direct costs of airing the communication made 4707
 in violation of that division. 4708

(DD) (1) Any corporation or labor organization that 4709
 violates division (X) (3) (a) of section 3517.13 of the Revised 4710
 Code shall be fined an amount equal to three times the amount 4711
 given in excess of the amount permitted by that division. 4712

(2) Any state or county political party that violates 4713
 division (X) (3) (b) of section 3517.13 of the Revised Code shall 4714
 be fined an amount equal to three times the amount accepted in 4715

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excess of the amount permitted by that division.	4716
(EE) (1) Any campaign committee or person who violates division (C) (1) (b) or (c) of section 3517.1014 of the Revised Code shall be fined an amount equal to three times the amount donated in excess of the amount permitted by that division.	4717 4718 4719 4720
(2) Any officeholder or treasurer of a transition fund who violates division (C) (3) (a) or (b) of section 3517.1014 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	4721 4722 4723 4724 4725
Sec. 3517.993. This section authorizes the establishment of fines that may be imposed only with respect to acts or failures to act that occur on and after August 24, 1995.	4726 4727 4728
(A) Except as otherwise provided in <u>division divisions</u> (D) (2) <u>and (3)</u> of section 3517.155 of the Revised Code, the Ohio elections commission may impose administrative fines under division (A) (1) (b) of section 3517.155 of the Revised Code in accordance with the amounts set forth under sections 3517.992, 3599.03, and 3599.031 of the Revised Code.	4729 4730 4731 4732 4733 4734
(B) <u>The Except as otherwise provided in division (D) (3) of section 3517.155 of the Revised Code, the commission may suspend all or part of a fine it imposes under this section upon whatever terms and conditions the commission considers just.</u>	4735 4736 4737 4738
(C) (1) The commission shall consider any of the following circumstances in determining whether to impose a maximum fine under this section:	4739 4740 4741
(a) Whether the violator has been found guilty of any other violation of Title XXXV of the Revised Code;	4742 4743

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(b) Whether the violation was made knowingly or purposely;	4744
(c) Whether any relevant statements, addenda, or affidavits required to be filed have not been filed;	4745 4746
(d) Whether the violator has any outstanding fines imposed for a violation of Title XXXV of the Revised Code;	4747 4748
(e) Whether the violation occurred during the course of a campaign.	4749 4750
(2) The commission shall consider any of the following circumstances in determining whether to impose a minimal fine or no fine under this section:	4751 4752 4753
(a) Whether the violator previously has not been found guilty of any other violation of Title XXXV of the Revised Code;	4754 4755
(b) Whether the violator has promptly corrected the violator's violation;	4756 4757
(c) Whether the nature and circumstances of the violation merit a minimum fine;	4758 4759
(d) Whether there are substantial grounds tending to excuse or justify the violation, although failing to establish a defense to the violation;	4760 4761 4762
(e) Whether the violation was not purposely committed.	4763
(3) The circumstances set forth in divisions (C)(1) and (2) of this section shall be considered by, but shall not control the decision of, the commission in imposing a fine.	4764 4765 4766
(D) Fines imposed by the commission under this section shall be paid into the Ohio elections commission fund.	4767 4768
Sec. 4507.112. (A) The director of public safety may authorize a third party to administer the motor vehicle skills	4769 4770

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<p>test specified in division (A) (2) of section 4507.11 of the Revised Code. <u>A third-party administrator may be any person, any agency of this state, or any agency, department, or instrumentality of local government, including a clerk of the court of common pleas.</u> The third party shall administer the same skills test as otherwise would be administered by the bureau of motor vehicles.</p> <p>(B) For purposes of authorizing a third party to administer the motor vehicle skills test, the director and the third party shall enter into an agreement that does all of the following:</p> <ul style="list-style-type: none"> (1) Allows the director or the director's representative to conduct random examinations, inspections, and audits of the third party, whether covert or overt, without prior notice; (2) Requires all examiners of the third party to meet the same qualification and training standards as examiners of the department of public safety; (3) Requires the third party to use designated road test routes that have been approved by the director; (4) If the third party also is a driver training school, prohibits a skills test examiner employed by the school from administering a skills test to an applicant that the examiner personally trained; (5) Establishes appropriate documentation and communication between the third party and the department indicating who has attempted the skills test with the third party and whether the person completed the test successfully; (6) Reserves to the department the right to take prompt and appropriate remedial action against the third party and its 	<p>4771 4772 4773 4774 4775 4776 4777 4778 4779 4780 4781 4782 4783 4784 4785 4786 4787 4788 4789 4790 4791 4792 4793 4794 4795 4796 4797 4798 4799</p>
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skills test examiners if the third party or its skills test	4800
examiners fail to comply with state standards for the testing	4801
program or with any other terms of the agreement.	4802
(C) (1) The director may adopt rules in accordance with	4803
Chapter 119. of the Revised Code establishing reasonable fees	4804
that a third party authorized to administer the motor vehicle	4805
skills test under this section may charge for the skills test.	4806
(2) If the director does not adopt the rules authorized	4807
under division (C) (1) of this section, a third party may charge	4808
a fee to an applicant who attempts the skills test with that	4809
third party. However, a third party shall not charge a fee	4810
greater than the cost of administering the skills test to that	4811
applicant.	4812
Sec. 4509.101. (A) (1) No person shall operate, or permit	4813
the operation of, a motor vehicle in this state, unless proof of	4814
financial responsibility is maintained continuously throughout	4815
the registration period with respect to that vehicle, or, in the	4816
case of a driver who is not the owner, with respect to that	4817
driver's operation of that vehicle.	4818
(2) Whoever violates division (A) (1) of this section shall	4819
be subject to the following civil penalties:	4820
(a) Subject to divisions (A) (2) (b) and (c) of this	4821
section, a class (F) suspension of the person's driver's	4822
license, commercial driver's license, temporary instruction	4823
permit, probationary license, or nonresident operating privilege	4824
for the period of time specified in division (B)(6) of section	4825
4510.02 of the Revised Code and impoundment of the person's	4826
license. The court may grant limited driving privileges to the	4827
person, but only if the person presents proof of financial	4828

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responsibility and is enrolled in a reinstatement fee payment 4829
plan pursuant to section 4510.10 of the Revised Code. 4830

(b) If, within five years of the violation, the person's 4831
operating privileges are again suspended and the person's 4832
license again is impounded for a violation of division (A)(1) of 4833
this section, a class C suspension of the person's driver's 4834
license, commercial driver's license, temporary instruction 4835
permit, probationary license, or nonresident operating privilege 4836
for the period of time specified in division (B)(3) of section 4837
4510.02 of the Revised Code. The court may grant limited driving 4838
privileges to the person only if the person presents proof of 4839
financial responsibility and has complied with division (A)(5) 4840
of this section, and no court may grant limited driving 4841
privileges for the first fifteen days of the suspension. 4842

(c) If, within five years of the violation, the person's 4843
operating privileges are suspended and the person's license is 4844
impounded two or more times for a violation of division (A)(1) 4845
of this section, a class B suspension of the person's driver's 4846
license, commercial driver's license, temporary instruction 4847
permit, probationary license, or nonresident operating privilege 4848
for the period of time specified in division (B)(2) of section 4849
4510.02 of the Revised Code. The court may grant limited driving 4850
privileges to the person only if the person presents proof of 4851
financial responsibility and has complied with division (A)(5) 4852
of this section, except that no court may grant limited driving 4853
privileges for the first thirty days of the suspension. 4854

(d) In addition to the suspension of an owner's license 4855
under division (A)(2)(a), (b), or (c) of this section, the 4856
suspension of the rights of the owner to register the motor 4857
vehicle and the impoundment of the owner's certificate of 4858

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registration and license plates until the owner complies with 4859
 division (A) (5) of this section. 4860

The clerk of court shall waive the cost of filing a 4861
 petition for limited driving privileges if, pursuant to section 4862
 2323.311 of the Revised Code, the petitioner applies to be 4863
 qualified as an indigent litigant and the court approves the 4864
 application. 4865

(3) A person to whom this state has issued a certificate 4866
 of registration for a motor vehicle or a license to operate a 4867
 motor vehicle or who is determined to have operated any motor 4868
 vehicle or permitted the operation in this state of a motor 4869
 vehicle owned by the person shall be required to verify the 4870
 existence of proof of financial responsibility covering the 4871
 operation of the motor vehicle or the person's operation of the 4872
 motor vehicle under either of the following circumstances: 4873

(a) The person or a motor vehicle owned by the person is 4874
 involved in a traffic accident that requires the filing of an 4875
 accident report under section 4509.06 of the Revised Code. 4876

(b) The person receives a traffic ticket indicating that 4877
 proof of the maintenance of financial responsibility was not 4878
 produced upon the request of a peace officer or state highway 4879
 patrol trooper made in accordance with division (D) (2) of this 4880
 section. 4881

(4) An order of the registrar that suspends and impounds a 4882
 license or registration, or both, shall state the date on or 4883
 before which the person is required to surrender the person's 4884
 license or certificate of registration and license plates. The 4885
 person is deemed to have surrendered the license or certificate 4886
 of registration and license plates, in compliance with the 4887

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order, if the person does either of the following:	4888
(a) On or before the date specified in the order, delivers the license or certificate of registration and license plates to the registrar;	4889
(b) Mails the license or certificate of registration and license plates to the registrar in an envelope or container bearing a postmark showing a date no later than the date specified in the order.	4890
(5) Except as provided in division (L) of this section, the registrar shall not restore any operating privileges or registration rights suspended under this section, return any license, certificate of registration, or license plates impounded under this section, or reissue license plates under section 4503.232 of the Revised Code, if the registrar destroyed the impounded license plates under that section, or reissue a license under section 4510.52 of the Revised Code, if the registrar destroyed the suspended license under that section, unless the rights are not subject to suspension or revocation under any other law and unless the person, in addition to complying with all other conditions required by law for reinstatement of the operating privileges or registration rights, complies with all of the following:	4891
(a) Pays to the registrar or an eligible deputy registrar a financial responsibility reinstatement fee of forty dollars for the first violation of division (A) (1) of this section, three hundred dollars for a second violation of that division, and six hundred dollars for a third or subsequent violation of that division;	4910
(b) If the person has not voluntarily surrendered the	4916

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license, certificate, or license plates in compliance with the	4917
order, pays to the registrar or an eligible deputy registrar a	4918
financial responsibility nonvoluntary compliance fee in an	4919
amount, not to exceed fifty dollars, determined by the	4920
registrar;	4921
(c) Files and continuously maintains proof of financial	4922
responsibility under sections 4509.44 to 4509.65 of the Revised	4923
Code;	4924
(d) Pays a deputy registrar a service fee of ten dollars	4925
to compensate the deputy registrar for services performed under	4926
this section. The deputy registrar shall retain eight dollars of	4927
the service fee and shall transmit the reinstatement fee, any	4928
nonvoluntary compliance fee, and two dollars of the service fee	4929
to the registrar in the manner the registrar shall determine.	4930
(B) (1) Every party required to file an accident report	4931
under section 4509.06 of the Revised Code also shall include	4932
with the report a document described in division (G) (1) (a) of	4933
this section or shall present proof of financial responsibility	4934
through use of an electronic wireless communications device as	4935
permitted by division (G) (1) (b) of this section.	4936
If the registrar determines, within forty-five days after	4937
the report is filed, that an operator or owner has violated	4938
division (A) (1) of this section, the registrar shall do all of	4939
the following:	4940
(a) Order the impoundment, with respect to the motor	4941
vehicle involved, required under division (A) (2) (d) of this	4942
section, of the certificate of registration and license plates	4943
of any owner who has violated division (A) (1) of this section;	4944
(b) Order the suspension required under division (A) (2)	4945

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(a), (b), or (c) of this section of the license of any operator or owner who has violated division (A)(1) of this section;	4946 4947
(c) Record the name and address of the person whose certificate of registration and license plates have been impounded or are under an order of impoundment, or whose license has been suspended or is under an order of suspension; the serial number of the person's license; the serial numbers of the person's certificate of registration and license plates; and the person's social security account number, if assigned, or, where the motor vehicle is used for hire or principally in connection with any established business, the person's federal taxpayer identification number. The information shall be recorded in such a manner that it becomes a part of the person's permanent record, and assists the registrar in monitoring compliance with the orders of suspension or impoundment.	
4948 4949 4950 4951 4952 4953 4954 4955 4956 4957 4958 4959 4960	
(d) Send written notification to every person to whom the order pertains, at the person's last known address as shown on the records of the bureau. The person, within ten days after the date of the mailing of the notification, shall surrender to the registrar, in a manner set forth in division (A)(4) of this section, any certificate of registration and registration plates under an order of impoundment, or any license under an order of suspension.	
4961 4962 4963 4964 4965 4966 4967 4968	
(2) The registrar shall issue any order under division (B) (1) of this section without a hearing. Any person adversely affected by the order, within ten days after the issuance of the order, may request an administrative hearing before the registrar, who shall provide the person with an opportunity for a hearing in accordance with this paragraph. A request for a hearing does not operate as a suspension of the order. The scope	
4969 4970 4971 4972 4973 4974 4975	

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of the hearing shall be limited to whether the person in fact 4976
demonstrated to the registrar proof of financial responsibility 4977
in accordance with this section. The registrar shall determine 4978
the date, time, and place of any hearing, provided that the 4979
hearing shall be held, and an order issued or findings made, 4980
within thirty days after the registrar receives a request for a 4981
hearing. If requested by the person in writing, the registrar 4982
may designate as the place of hearing the county seat of the 4983
county in which the person resides or a place within fifty miles 4984
of the person's residence. The person shall pay the cost of the 4985
hearing before the registrar, if the registrar's order of 4986
suspension or impoundment is upheld. 4987

(C) Any order of suspension or impoundment issued under 4988
this section or division (B) of section 4509.37 of the Revised 4989
Code may be terminated at any time if the registrar determines 4990
upon a showing of proof of financial responsibility that the 4991
operator or owner of the motor vehicle was in compliance with 4992
division (A) (1) of this section at the time of the traffic 4993
offense, motor vehicle inspection, or accident that resulted in 4994
the order against the person. A determination may be made 4995
without a hearing. This division does not apply unless the 4996
person shows good cause for the person's failure to present 4997
satisfactory proof of financial responsibility to the registrar 4998
prior to the issuance of the order. 4999

(D) (1) (a) For the purpose of enforcing this section, every 5000
peace officer is deemed an agent of the registrar. 5001

(b) Any peace officer who, in the performance of the peace 5002
officer's duties as authorized by law, becomes aware of a person 5003
whose license is under an order of suspension, or whose 5004
certificate of registration and license plates are under an 5005

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order of impoundment, pursuant to this section, may confiscate 5006
 the license, certificate of registration, and license plates, 5007
 and return them to the registrar. 5008

(2) A peace officer shall request the owner or operator of 5009
 a motor vehicle to produce proof of financial responsibility in 5010
 a manner described in division (G) of this section at the time 5011
 the peace officer acts to enforce the traffic laws of this state 5012
 and during motor vehicle inspections conducted pursuant to 5013
 section 4513.02 of the Revised Code. 5014

(3) A peace officer shall indicate on every traffic ticket 5015
 whether the person receiving the traffic ticket produced proof 5016
 of the maintenance of financial responsibility in response to 5017
 the officer's request under division (D)(2) of this section. The 5018
 peace officer shall inform every person who receives a traffic 5019
 ticket and who has failed to produce proof of the maintenance of 5020
 financial responsibility that the person must submit proof to 5021
 the traffic violations bureau with any payment of a fine and 5022
 costs for the ticketed violation or, if the person is to appear 5023
 in court for the violation, the person must submit proof to the 5024
 court. 5025

(4) (a) If a person who has failed to produce proof of the 5026
 maintenance of financial responsibility appears in court for a 5027
 ticketed violation, the court may permit the defendant to 5028
 present evidence of proof of financial responsibility to the 5029
 court at such time and in such manner as the court determines to 5030
 be necessary or appropriate. In a manner prescribed by the 5031
 registrar, the clerk of courts shall provide the registrar with 5032
 the identity of any person who fails to submit proof of the 5033
 maintenance of financial responsibility pursuant to division (D) 5034
 (3) of this section. 5035

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(b) If a person who has failed to produce proof of the	5036
maintenance of financial responsibility also fails to submit	5037
that proof to the traffic violations bureau with payment of a	5038
fine and costs for the ticketed violation, the traffic	5039
violations bureau, in a manner prescribed by the registrar,	5040
shall notify the registrar of the identity of that person.	5041
(5) (a) Upon receiving notice from a clerk of courts or	5042
traffic violations bureau pursuant to division (D) (4) of this	5043
section, the registrar shall order the suspension of the license	5044
of the person required under division (A) (2) (a), (b), or (c) of	5045
this section and the impoundment of the person's certificate of	5046
registration and license plates required under division (A) (2)	5047
(d) of this section, effective thirty days after the date of the	5048
mailing of notification. The registrar also shall notify the	5049
person that the person must present the registrar with proof of	5050
financial responsibility in accordance with this section,	5051
surrender to the registrar the person's certificate of	5052
registration, license plates, and license, or submit a statement	5053
subject to section 2921.13 of the Revised Code that the person	5054
did not operate or permit the operation of the motor vehicle at	5055
the time of the offense. Notification shall be in writing and	5056
shall be sent to the person at the person's last known address	5057
as shown on the records of the bureau of motor vehicles. The	5058
person, within fifteen days after the date of the mailing of	5059
notification, shall present proof of financial responsibility,	5060
surrender the certificate of registration, license plates, and	5061
license to the registrar in a manner set forth in division (A)	5062
(4) of this section, or submit the statement required under this	5063
section together with other information the person considers	5064
appropriate.	5065
If the registrar does not receive proof or the person does	5066

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not surrender the certificate of registration, license plates, 5067
and license, in accordance with this division, the registrar 5068
shall permit the order for the suspension of the license of the 5069
person and the impoundment of the person's certificate of 5070
registration and license plates to take effect. 5071

(b) In the case of a person who presents, within the 5072
fifteen-day period, proof of financial responsibility, the 5073
registrar shall terminate the order of suspension and the 5074
impoundment of the registration and license plates required 5075
under division (A) (2) (d) of this section and shall send written 5076
notification to the person, at the person's last known address 5077
as shown on the records of the bureau. 5078

(c) Any person adversely affected by the order of the 5079
registrar under division (D) (5) (a) or (b) of this section, 5080
within ten days after the issuance of the order, may request an 5081
administrative hearing before the registrar, who shall provide 5082
the person with an opportunity for a hearing in accordance with 5083
this paragraph. A request for a hearing does not operate as a 5084
suspension of the order. The scope of the hearing shall be 5085
limited to whether, at the time of the hearing, the person 5086
presents proof of financial responsibility covering the vehicle 5087
and whether the person is eligible for an exemption in 5088
accordance with this section or any rule adopted under it. The 5089
registrar shall determine the date, time, and place of any 5090
hearing; provided, that the hearing shall be held, and an order 5091
issued or findings made, within thirty days after the registrar 5092
receives a request for a hearing. If requested by the person, 5093
the hearing may be held remotely by electronic means. If 5094
requested by the person in writing, the registrar may designate 5095
as the place of hearing the county seat of the county in which 5096
the person resides or a place within fifty miles of the person's 5097

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residence. Such person shall pay the cost of the hearing before 5098
 the registrar, if the registrar's order of suspension or 5099
 impoundment under division (D)(5)(a) or (b) of this section is 5100
 upheld. 5101

(6) A peace officer may charge an owner or operator of a 5102
 motor vehicle with a violation of section 4510.16 of the Revised 5103
 Code when the owner or operator fails to show proof of the 5104
 maintenance of financial responsibility pursuant to a peace 5105
 officer's request under division (D)(2) of this section, if a 5106
 check of the owner or operator's driving record indicates that 5107
 the owner or operator, at the time of the operation of the motor 5108
 vehicle, is required to file and maintain proof of financial 5109
 responsibility under section 4509.45 of the Revised Code for a 5110
 previous violation of this chapter. 5111

(7) Any forms used by law enforcement agencies in 5112
 administering this section shall be prescribed, supplied, and 5113
 paid for by the registrar. 5114

(8) No peace officer, law enforcement agency employing a 5115
 peace officer, or political subdivision or governmental agency 5116
 that employs a peace officer shall be liable in a civil action 5117
 for damages or loss to persons arising out of the performance of 5118
 any duty required or authorized by this section. 5119

(9) As used in this section, "peace officer" has the 5120
 meaning set forth in section 2935.01 of the Revised Code. 5121

(E) All fees, except court costs, fees paid to a deputy 5122
 registrar, and those portions of the financial responsibility 5123
 reinstatement fees as otherwise specified in this division, 5124
 collected under this section shall be paid into the state 5125
 treasury to the credit of the public safety - highway purposes 5126

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fund established in section 4501.06 of the Revised Code and used 5127
 to cover costs incurred by the bureau in the administration of 5128
 this section and sections 4503.20, 4507.212, and 4509.81 of the 5129
 Revised Code, and by any law enforcement agency employing any 5130
 peace officer who returns any license, certificate of 5131
 registration, and license plates to the registrar pursuant to 5132
 division (C) of this section. 5133

Of each financial responsibility reinstatement fee the 5134
 registrar collects pursuant to division (A) (5) (a) of this 5135
 section or receives from a deputy registrar under division (A) 5136
 (5) (d) of this section, the registrar shall deposit ten dollars 5137
of each forty-dollar reinstatement fee, fifty dollars of each 5138
three-hundred-dollar reinstatement fee, and one hundred dollars 5139
of each six-hundred-dollar reinstatement fee into the state 5140
 treasury to the credit of the indigent defense support fund 5141
 created by section 120.08 of the Revised Code. 5142

(F) Chapter 119. of the Revised Code applies to this 5143
 section only to the extent that any provision in that chapter is 5144
 not clearly inconsistent with this section. 5145

(G) (1) (a) The registrar, court, traffic violations bureau, 5146
 or peace officer may require proof of financial responsibility 5147
 to be demonstrated by use of a standard form prescribed by the 5148
 registrar. If the use of a standard form is not required, a 5149
 person may demonstrate proof of financial responsibility under 5150
 this section by presenting to the traffic violations bureau, 5151
 court, registrar, or peace officer any of the following 5152
 documents or a copy of the documents: 5153

(i) A financial responsibility identification card as 5154
 provided in section 4509.103 of the Revised Code; 5155

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(ii) A certificate of proof of financial responsibility on a form provided and approved by the registrar for the filing of an accident report required to be filed under section 4509.06 of the Revised Code;	5156 5157 5158 5159
(iii) A policy of liability insurance, a declaration page of a policy of liability insurance, or liability bond, if the policy or bond complies with section 4509.20 or sections 4509.49 to 4509.61 of the Revised Code;	5160 5161 5162 5163
(iv) A bond or certification of the issuance of a bond as provided in section 4509.59 of the Revised Code;	5164 5165
(v) A certificate of deposit of money or securities as provided in section 4509.62 of the Revised Code;	5166 5167
(vi) A certificate of self-insurance as provided in section 4509.72 of the Revised Code.	5168 5169
(b) A person also may present proof of financial responsibility under this section to the traffic violations bureau, court, registrar, or peace officer through use of an electronic wireless communications device as specified under section 4509.103 of the Revised Code.	5170 5171 5172 5173 5174
(2) If a person fails to demonstrate proof of financial responsibility in a manner described in division (G)(1) of this section, the person may demonstrate proof of financial responsibility under this section by any other method that the court or the bureau, by reason of circumstances in a particular case, may consider appropriate.	5175 5176 5177 5178 5179 5180
(3) A motor carrier certificated by the interstate commerce commission or by the public utilities commission may demonstrate proof of financial responsibility by providing a statement designating the motor carrier's operating authority	5181 5182 5183 5184

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and averring that the insurance coverage required by the 5185
certificating authority is in full force and effect. 5186

(4) (a) A finding by the registrar or court that a person 5187
is covered by proof of financial responsibility in the form of 5188
an insurance policy or surety bond is not binding upon the named 5189
insurer or surety or any of its officers, employees, agents, or 5190
representatives and has no legal effect except for the purpose 5191
of administering this section. 5192

(b) The preparation and delivery of a financial 5193
responsibility identification card or any other document 5194
authorized to be used as proof of financial responsibility and 5195
the generation and delivery of proof of financial responsibility 5196
to an electronic wireless communications device that is 5197
displayed on the device as text or images does not do any of the 5198
following: 5199

(i) Create any liability or estoppel against an insurer or 5200
surety, or any of its officers, employees, agents, or 5201
representatives; 5202

(ii) Constitute an admission of the existence of, or of 5203
any liability or coverage under, any policy or bond; 5204

(iii) Waive any defenses or counterclaims available to an 5205
insurer, surety, agent, employee, or representative in an action 5206
commenced by an insured or third-party claimant upon a cause of 5207
action alleged to have arisen under an insurance policy or 5208
surety bond or by reason of the preparation and delivery of a 5209
document for use as proof of financial responsibility or the 5210
generation and delivery of proof of financial responsibility to 5211
an electronic wireless communications device. 5212

(c) Whenever it is determined by a final judgment in a 5213

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judicial proceeding that an insurer or surety, which has been 5214
 named on a document or displayed on an electronic wireless 5215
 communications device accepted by a court or the registrar as 5216
 proof of financial responsibility covering the operation of a 5217
 motor vehicle at the time of an accident or offense, is not 5218
 liable to pay a judgment for injuries or damages resulting from 5219
 such operation, the registrar, notwithstanding any previous 5220
 contrary finding, shall forthwith suspend the operating 5221
 privileges and registration rights of the person against whom 5222
 the judgment was rendered as provided in division (A) (2) of this 5223
 section. 5224

(H) In order for any document or display of text or images 5225
 on an electronic wireless communications device described in 5226
 division (G) (1) of this section to be used for the demonstration 5227
 of proof of financial responsibility under this section, the 5228
 document or words or images shall state the name of the insured 5229
 or obligor, the name of the insurer or surety company, and the 5230
 effective and expiration dates of the financial responsibility, 5231
 and designate by explicit description or by appropriate 5232
 reference all motor vehicles covered which may include a 5233
 reference to fleet insurance coverage. 5234

(I) For purposes of this section, "owner" does not include 5235
 a licensed motor vehicle leasing dealer as defined in section 5236
 4517.01 of the Revised Code, but does include a motor vehicle 5237
 renting dealer as defined in section 4549.65 of the Revised 5238
 Code. Nothing in this section or in section 4509.51 of the 5239
 Revised Code shall be construed to prohibit a motor vehicle 5240
 renting dealer from entering into a contractual agreement with a 5241
 person whereby the person renting the motor vehicle agrees to be 5242
 solely responsible for maintaining proof of financial 5243
 responsibility, in accordance with this section, with respect to 5244

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the operation, maintenance, or use of the motor vehicle during 5245
 the period of the motor vehicle's rental. 5246

(J) The purpose of this section is to require the 5247
 maintenance of proof of financial responsibility with respect to 5248
 the operation of motor vehicles on the highways of this state, 5249
 so as to minimize those situations in which persons are not 5250
 compensated for injuries and damages sustained in motor vehicle 5251
 accidents. The general assembly finds that this section contains 5252
 reasonable civil penalties and procedures for achieving this 5253
 purpose. 5254

(K) Nothing in this section shall be construed to be 5255
 subject to section 4509.78 of the Revised Code. 5256

(L) (1) The registrar may terminate any suspension imposed 5257
 under this section and not require the owner to comply with 5258
 divisions (A)(5)(a), (b), and (c) of this section if the 5259
 registrar with or without a hearing determines that the owner of 5260
 the vehicle has established by clear and convincing evidence 5261
 that all of the following apply: 5262

(a) The owner customarily maintains proof of financial 5263
 responsibility. 5264

(b) Proof of financial responsibility was not in effect 5265
 for the vehicle on the date in question for one of the following 5266
 reasons: 5267

(i) The vehicle was inoperable. 5268

(ii) The vehicle is operated only seasonally, and the date 5269
 in question was outside the season of operation. 5270

(iii) A person other than the vehicle owner or driver was 5271
 at fault for the lapse of proof of financial responsibility 5272

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through no fault of the owner or driver.	5273
(iv) The lapse of proof of financial responsibility was caused by excusable neglect under circumstances that are not likely to recur and do not suggest a purpose to evade the requirements of this chapter.	5274 5275 5276 5277
(2) The registrar may grant an owner or driver relief for a reason specified in division (L)(1)(b)(iii) or (iv) of this section only if the owner or driver has not previously been granted relief under division (L)(1)(b)(iii) or (iv) of this section.	5278 5279 5280 5281 5282
(M) The registrar shall adopt rules in accordance with Chapter 119. of the Revised Code that are necessary to administer and enforce this section. The rules shall include procedures for the surrender of license plates upon failure to maintain proof of financial responsibility and provisions relating to reinstatement of registration rights, acceptable forms of proof of financial responsibility, the use of an electronic wireless communications device to present proof of financial responsibility, and verification of the existence of financial responsibility during the period of registration.	5283 5284 5285 5286 5287 5288 5289 5290 5291 5292
(N) (1) When a person utilizes an electronic wireless communications device to present proof of financial responsibility, only the evidence of financial responsibility displayed on the device shall be viewed by the registrar, peace officer, employee or official of the traffic violations bureau, or the court. No other content of the device shall be viewed for purposes of obtaining proof of financial responsibility.	5293 5294 5295 5296 5297 5298 5299
(2) When a person provides an electronic wireless communications device to the registrar, a peace officer, an	5300 5301

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employee or official of a traffic violations bureau, or the 5302
court, the person assumes the risk of any resulting damage to 5303
the device unless the registrar, peace officer, employee, or 5304
official, or court personnel purposely, knowingly, or recklessly 5305
commits an action that results in damage to the device. 5306

Sec. 4517.261. (A) For the purposes of this section, 5307
"consumer price index" means the index, as prepared by the 5308
United States bureau of labor statistics (U.S. city average for 5309
urban wage earners and clerical workers: all items) or, if that 5310
index is no longer published, a generally available comparable 5311
index as determined by the registrar of motor vehicles. 5312

(B) A motor vehicle dealer may contract for and receive a 5313
documentary service charge for a retail or wholesale sale or 5314
lease of a motor vehicle. A documentary service charge shall be 5315
specified in writing without itemization of the individual 5316
services provided. A documentary service charge shall be not 5317
more than the lesser of the following: 5318

(A)—(1) The amount allowed in a retail installment sale, 5319
adjusted as required by division (C) of this section; 5320

(B)—(2) Ten per cent of the amount the buyer or lessee is 5321
required to pay pursuant to the contract, excluding tax, title, 5322
and registration fees, and any negative equity adjustment. 5323

(C) (1) On the effective date of this amendment, and on the 5324
last day of each September that begins thereafter, the registrar 5325
of motor vehicles shall adjust the documentary service charge 5326
allowed under division (B) (1) of this section in connection with 5327
the sale or lease of a motor vehicle by adding two hundred fifty 5328
dollars to the product of two hundred fifty dollars times the 5329
cumulative percentage change in the consumer price index since 5330

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<u>July 1, 2006, based on the most recently published data, and rounding to the nearest one-dollar increment.</u>	5331 5332
<u>(2) Subject to division (C) (3) of this section, the adjusted documentary service charge computed under division (C)</u>	5333 5334
<u>(1) of this section applies as follows:</u>	5335
<u>(a) For the first adjustment required by division (C) (1) of this section, from the effective date of this amendment until the last day of December following the second adjustment required by that division;</u>	5336 5337 5338 5339
<u>(b) For the second and all subsequent adjustments required by division (C) (1) of this section, for the full calendar year following the date of the adjustment.</u>	5340 5341 5342
<u>(3) If the adjustment required by division (C) (1) of this section results in an amount less than the documentary service charge allowed at the time the adjustment is made, then the maximum documentary service charge per sale at the time the adjustment is made applies for the following calendar year.</u>	5343 5344 5345 5346 5347
<u>(4) The registrar shall publish the adjusted documentary service charge amount and the dates to which it applies on a web site maintained by the department of public safety.</u>	5348 5349 5350
<u>(5) The adjusted documentary service charge determined under division (C) of this section applies only with respect to the sale or lease of a motor vehicle by a motor vehicle dealer, and only if the adjusted documentary service charge does not exceed the amount described in division (B) (2) of this section.</u>	5351 5352 5353 5354 5355
Section 2. That existing sections 9.03, 120.54, 181.21, 325.33, 345.13, 517.23, 1317.07, 1901.02, 1901.123, 1901.261, 1907.11, 1907.143, 1907.261, 2303.081, 2303.201, 2505.02, 2929.20, 2967.26, 3517.01, 3517.10, 3517.12, 3517.13, 3517.155,	5356 5357 5358 5359

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3517.992, 3517.993, 4507.112, 4509.101, and 4517.261 of the Revised Code are hereby repealed.	5360
	5361
Section 3. That sections 135.032 and 135.321 of the Revised Code are hereby repealed.	5362
	5363
Section 4. (A) All cases arising in the municipal corporation of North Kingsville in Ashtabula County that are pending in the Eastern County Court in Ashtabula County on January 1, 2025, shall be adjudicated by the Ashtabula County County Court. All cases arising in the municipal corporation of North Kingsville in Ashtabula County on or after January 1, 2025, shall be brought before the Conneaut Municipal Court.	5364
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(B) All cases arising in Kingsville, Monroe, and Sheffield Townships in Ashtabula County that are pending in the Eastern County Court in Ashtabula County on January 1, 2025, shall be adjudicated by the Ashtabula County County Court. All cases arising in Kingsville, Monroe, and Sheffield Townships in Ashtabula County on or after January 1, 2025, shall be brought before the Conneaut Municipal Court.	5371
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Section 5. Any fees that were collected by a clerk of court serving as a third-party administrator of a motor vehicle skills test under section 4507.112 of the Revised Code beginning on April 12, 2021, until the effective date of this section shall be paid into the county treasury to the credit of the certificate of title administration fund, as established in section 325.33 of the Revised Code.	5378
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Exhibit E

As Passed by the Senate

135th General Assembly

Special Session

Am. Sub. H. B. No. 271

2023-2024

Representatives Mathews, Peterson

Cosponsors: Representatives Gross, Hall, Abrams, Baker, Barhorst, Brennan, Brent, Brewer, Carruthers, Claggett, Creech, Cross, Daniels, Dell'Aquila, Denson, Dobos, Forhan, Ghanbari, Hillyer, Holmes, Jarrells, Johnson, Jones, King, Klopfenstein, Lampton, Liston, Lorenz, McClain, McNally, Miller, J., Miller, M., Mohamed, Patton, Pavliga, Piccolantonio, Pizzulli, Robb Blasdel, Russo, Somani, Swearingen, Thomas, C., Troy, Whitted, Wiggam, Williams

Senators Brenner, Cirino, Schaffer

—
A BILL

To amend sections 3505.06, 3517.01, 3517.10,	1
3517.12, 3517.13, 3517.155, 3517.992, and	2
3517.993 of the Revised Code to specify that	3
state questions and issues appearing on ballots	4
must be numbered consecutively based on the	5
previous election and to respond to the	6
Governor's proclamation calling a special	7
session of the General Assembly by modifying the	8
Campaign Finance Law and delaying the deadline	9
for a major political party to certify its	10
presidential and vice presidential candidates to	11
the Secretary of State for the 2024 general	12
election.	13

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3505.06, 3517.01, 3517.10,

14

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3517.12, 3517.13, 3517.155, 3517.992, and 3517.993 of the 15
 Revised Code be amended to read as follows: 16

Sec. 3505.06. (A) On the questions and issues ballot shall 17
 be printed all questions and issues to be submitted at any one 18
 election together with the percentage of affirmative votes 19
 necessary for passage as required by law. Such ballot shall have 20
 printed across the top thereof, and below the stubs, "Official 21
 Questions and Issues Ballot." 22

(B) (1) Questions and issues shall be grouped together on 23
 the ballot from top to bottom as provided in division (B) (1) of 24
 this section, except as otherwise provided in division (B) (2) of 25
 this section. State questions and issues shall always appear as 26
 the top group of questions and issues. In calendar year 1997, 27
 the following questions and issues shall be grouped together on 28
 the ballot, in the following order from top to bottom, after the 29
 state questions and issues: 30

- (a) County questions and issues; 31
- (b) Municipal questions and issues; 32
- (c) Township questions and issues; 33
- (d) School or other district questions and issues. 34

In each succeeding calendar year after 1997, each group of 35
 questions and issues described in division (B) (1) (a) to (d) of 36
 this section shall be moved down one place on the ballot except 37
 that the group that was last on the ballot during the 38
 immediately preceding calendar year shall appear at the top of 39
 the ballot after the state questions and issues. The rotation 40
 shall be performed only once each calendar year, beginning with 41
 the first election held during the calendar year. The rotation 42
 of groups of questions and issues shall be performed during each 43

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calendar year as required by division (B) (1) of this section,	44
even if no questions and issues from any one or more such groups	45
appear on the ballot at any particular election held during that	46
calendar year.	47
(2) Questions and issues shall be grouped together on the	48
ballot, from top to bottom, in the following order when it is	49
not practicable to group them together as required by division	50
(B) (1) of this section because of the type of voting machines	51
used by the board of elections: state questions and issues,	52
county questions and issues, municipal questions and issues,	53
township questions and issues, and school or other district	54
questions and issues. The particular order in which each of a	55
group of state questions or issues is placed on the ballot shall	56
be determined by, and certified to each board of elections by,	57
the secretary of state.	58
(3) Failure of the board of elections to rotate questions	59
and issues as required by division (B) (1) of this section does	60
not affect the validity of the election at which the failure	61
occurred, and is not grounds for contesting an election under	62
section 3515.08 of the Revised Code.	63
(C) The particular order in which each of a group of	64
county, municipal, township, or school district questions or	65
issues is placed on the ballot shall be determined by the board	66
providing the ballots.	67
(D) The printed matter pertaining to each question or	68
issue on the ballot shall be enclosed at the top and bottom	69
thereof by a heavy horizontal line across the width of the	70
ballot. Immediately below such top line shall be printed a brief	71
title descriptive of the question or issue below it, such as	72
"Proposed Constitutional Amendment," "Proposed Bond Issue,"	73

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"Proposed Annexation of Territory," "Proposed Increase in Tax Rate," or such other brief title as will be descriptive of the question or issue to which it pertains, together with a brief statement of the percentage of affirmative votes necessary for passage, such as "A sixty-five per cent affirmative vote is necessary for passage," "A majority vote is necessary for passage," or such other brief statement as will be descriptive of the percentage of affirmative votes required.

(E) The questions and issues ballot need not contain the full text of the proposal to be voted upon. A condensed text that will properly describe the question, issue, or an amendment proposed by other than the general assembly shall be used as prepared and certified by the secretary of state for state-wide questions or issues or by the board for local questions or issues. If other than a full text is used, the full text of the proposed question, issue, or amendment together with the percentage of affirmative votes necessary for passage as required by law shall be posted in each polling place in some spot that is easily accessible to the voters.

~~(F) Each~~ (F) (1) Except as otherwise provided in division (F) (2) of this section, each question and issue appearing on the questions and issues ballot may be consecutively numbered. The question or issue determined to appear at the top of the ballot may be designated on the face thereof by the Arabic numeral "1" and all questions and issues placed below on the ballot shall be consecutively numbered. Such numeral shall be placed below the heavy top horizontal line enclosing such question or issue and to the left of the brief title thereof.

(2) Beginning with the general election to be held on November 5, 2024, a state question or issue determined to appear

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at the top of the ballot shall be designated on the face thereof 104
by the Arabic numeral "1" and all state questions and issues 105
placed below on the ballot shall be consecutively numbered. For 106
elections occurring after the general election held on November 107
5, 2024, a state question or issue determined to appear at the 108
top of the ballot shall be designated on the face thereof by the 109
Arabic numeral that is consecutive to the Arabic numeral of the 110
last state question or issue that appeared on the ballot at the 111
immediately preceding election at which a state question or 112
issue appeared on the ballot and all state questions or issues 113
placed below on the ballot shall be consecutively numbered. Such 114
numeral shall be placed below the heavy top horizontal line 115
enclosing such question or issue and to the left of the brief 116
title thereof. Once a state question or issue appears on the 117
ballot designated by the Arabic numeral "500," the state 118
question or issue appearing at the top of the ballot at the 119
immediately following election at which a state question or 120
issue appears on the ballot shall be designated by the Arabic 121
numeral "1." 122

(G) No portion of a ballot question proposing to levy a 123
 property tax in excess of the ten-mill limitation under any 124
 section of the Revised Code, including the renewal or 125
 replacement of such a levy, may be printed in boldface type or 126
 in a font size that is different from the font size of other 127
 text in the ballot question. The prohibitions in division (G) of 128
 this section do not apply to printed matter either described in 129
 division (D) of this section related to such a ballot question 130
 or located in the area of the ballot in which votes are 131
 indicated for or against that question. 132

Sec. 3517.01. (A)(1) A political party within the meaning 133
 of Title XXXV of the Revised Code is any group of voters that 134

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meets either of the following requirements:	135
(a) Except as otherwise provided in this division, at the most recent regular state election, the group polled for its candidate for governor in the state or nominees for presidential electors at least three per cent of the entire vote cast for that office. A group that meets the requirements of this division remains a political party for a period of four years after meeting those requirements.	136 137 138 139 140 141 142
(b) The group filed with the secretary of state, subsequent to its failure to meet the requirements of division (A) (1) (a) of this section, a party formation petition that meets all of the following requirements:	143 144 145 146
(i) The petition is signed by qualified electors equal in number to at least one per cent of the total vote for governor or nominees for presidential electors at the most recent election for such office.	147 148 149 150
(ii) The petition is signed by not fewer than five hundred qualified electors from each of at least a minimum of one-half of the congressional districts in this state. If an odd number of congressional districts exists in this state, the number of districts that results from dividing the number of congressional districts by two shall be rounded up to the next whole number.	151 152 153 154 155 156
(iii) The petition declares the petitioners' intention of organizing a political party, the name of which shall be stated in the declaration, and of participating in the succeeding general election, held in even-numbered years, that occurs more than one hundred twenty-five days after the date of filing.	157 158 159 160 161
(iv) The petition designates a committee of not less than three nor more than five individuals of the petitioners, who	162 163

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shall represent the petitioners in all matters relating to the petition. Notice of all matters or proceedings pertaining to the petition may be served on the committee, or any of them, either personally or by registered mail, or by leaving such notice at the usual place of residence of each of them.	164 165 166 167 168
(2) No such group of electors shall assume a name or designation that is similar, in the opinion of the secretary of state, to that of an existing political party as to confuse or mislead the voters at an election.	169 170 171 172
(B) A campaign committee shall be legally liable for any debts, contracts, or expenditures incurred or executed in its name.	173 174 175
(C) Notwithstanding the definitions found in section 3501.01 of the Revised Code, as used in this section and sections 3517.08 to 3517.14, 3517.99, and 3517.992 of the Revised Code:	176 177 178 179
(1) "Campaign committee" means a candidate or a combination of two or more persons authorized by a candidate under section 3517.081 of the Revised Code to receive contributions and make expenditures.	180 181 182 183
(2) "Campaign treasurer" means an individual appointed by a candidate under section 3517.081 of the Revised Code.	184 185
(3) "Candidate" has the same meaning as in division (H) of section 3501.01 of the Revised Code and also includes any person who, at any time before or after an election, receives contributions or makes expenditures or other use of contributions, has given consent for another to receive contributions or make expenditures or other use of contributions, or appoints a campaign treasurer, for the purpose	186 187 188 189 190 191 192

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of bringing about the person's nomination or election to public office. When two persons jointly seek the offices of governor and lieutenant governor, "candidate" means the pair of candidates jointly. "Candidate" does not include candidates for election to the offices of member of a county or state central committee, presidential elector, and delegate to a national convention or conference of a political party.	193 194 195 196 197 198 199
(4) "Continuing association" means an association, other than a campaign committee, political party, legislative campaign fund, political contributing entity, or labor organization, that is intended to be a permanent organization that has a primary purpose other than supporting or opposing specific candidates, political parties, or ballot issues, and that functions on a regular basis throughout the year. "Continuing association" includes organizations that are determined to be not organized for profit under subsection 501 and that are described in subsection 501(c) (3), 501(c) (4), or 501(c) (6) of the Internal Revenue Code.	200 201 202 203 204 205 206 207 208 209 210
(5) "Contribution" means a loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any person other than the person to whom the services are rendered for the personal services of another person, which contribution is made, received, or used for the purpose of influencing the results of an election. Any loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds or of anything of value, including a transfer of funds from an inter vivos or testamentary trust or decedent's estate, and the payment by any campaign committee, political action committee, legislative	211 212 213 214 215 216 217 218 219 220 221 222 223

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campaign fund, political party, political contributing entity, or person other than the person to whom the services are rendered for the personal services of another person, that is made, received, or used by a state or county political party, other than the moneys an entity may receive under sections 3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be considered to be a "contribution" for the purpose of section 3517.10 of the Revised Code and shall be included on a statement of contributions filed under that section.	224 225 226 227 228 229 230 231 232
"Contribution" does not include any of the following:	233
(a) Services provided without compensation by individuals volunteering a portion or all of their time on behalf of a person;	234 235 236
(b) Ordinary home hospitality;	237
(c) The personal expenses of a volunteer paid for by that volunteer campaign worker;	238 239
(d) Any gift given to an entity pursuant to section 3517.101 of the Revised Code;	240 241
(e) Any contribution as defined in section 3517.1011 of the Revised Code that is made, received, or used to pay the direct costs of producing or airing an electioneering communication;	242 243 244 245
(f) Any gift given to a state or county political party for the party's restricted fund under division (A)(2) of section 3517.1012 of the Revised Code;	246 247 248
(g) Any gift given to a state political party for deposit in a Levin account pursuant to section 3517.1013 of the Revised Code. As used in this division, "Levin account" has the same	249 250 251

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meaning as in that section.	252
(h) Any donation given to a transition fund under section 3517.1014 of the Revised Code.	253 254
(6) "Expenditure" means the disbursement or use of a contribution for the purpose of influencing the results of an election or of making a charitable donation under division (G) of section 3517.08 of the Revised Code. Any disbursement or use of a contribution by a state or county political party is an expenditure and shall be considered either to be made for the purpose of influencing the results of an election or to be made as a charitable donation under division (G) of section 3517.08 of the Revised Code and shall be reported on a statement of expenditures filed under section 3517.10 of the Revised Code. During the thirty days preceding a primary or general election, any disbursement to pay the direct costs of producing or airing a broadcast, cable, or satellite communication that refers to a clearly identified candidate shall be considered to be made for the purpose of influencing the results of that election and shall be reported as an expenditure or as an independent expenditure under section 3517.10 or 3517.105 of the Revised Code, as applicable, except that the information required to be reported regarding contributors for those expenditures or independent expenditures shall be the same as the information required to be reported under divisions (D)(1) and (2) of section 3517.1011 of the Revised Code.	255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276
As used in this division, "broadcast, cable, or satellite communication" and "refers to a clearly identified candidate" have the same meanings as in section 3517.1011 of the Revised Code.	277 278 279 280
(7) "Personal expenses" includes, but is not limited to,	281

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ordinary expenses for accommodations, clothing, food, personal 282
motor vehicle or airplane, and home telephone. 283

(8) "Political action committee" means a combination of 284
two or more persons, the primary or major purpose of which is to 285
support or oppose any candidate, political party, or issue, or 286
to influence the result of any election through express 287
advocacy, and that is not a political party, a campaign 288
committee, a political contributing entity, or a legislative 289
campaign fund. "Political action committee" does not include 290
either of the following: 291

(a) A continuing association that makes disbursements for 292
the direct costs of producing or airing electioneering 293
communications and that does not engage in express advocacy; 294

(b) A political club that is formed primarily for social 295
purposes and that consists of one hundred members or less, has 296
officers and periodic meetings, has less than two thousand five 297
hundred dollars in its treasury at all times, and makes an 298
aggregate total contribution of one thousand dollars or less per 299
calendar year. 300

(9) "Public office" means any state, county, municipal, 301
township, or district office, except an office of a political 302
party, that is filled by an election and the offices of United 303
States senator and representative. 304

(10) "Anything of value" has the same meaning as in 305
section 1.03 of the Revised Code. 306

(11) "Beneficiary of a campaign fund" means a candidate, a 307
public official or employee for whose benefit a campaign fund 308
exists, and any other person who has ever been a candidate or 309
public official or employee and for whose benefit a campaign 310

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fund exists. 311

(12) "Campaign fund" means money or other property, 312
including contributions. 313

(13) "Public official or employee" has the same meaning as 314
in section 102.01 of the Revised Code. 315

(14) "Caucus" means all of the members of the house of 316
representatives or all of the members of the senate of the 317
general assembly who are members of the same political party. 318

(15) "Legislative campaign fund" means a fund that is 319
established as an auxiliary of a state political party and 320
associated with one of the houses of the general assembly. 321

(16) "In-kind contribution" means anything of value other 322
than money that is used to influence the results of an election 323
or is transferred to or used in support of or in opposition to a 324
candidate, campaign committee, legislative campaign fund, 325
political party, political action committee, or political 326
contributing entity and that is made with the consent of, in 327
coordination, cooperation, or consultation with, or at the 328
request or suggestion of the benefited candidate, committee, 329
fund, party, or entity. The financing of the dissemination, 330
distribution, or republication, in whole or part, of any 331
broadcast or of any written, graphic, or other form of campaign 332
materials prepared by the candidate, the candidate's campaign 333
committee, or their authorized agents is an in-kind contribution 334
to the candidate and an expenditure by the candidate. 335

(17) (17) (a) "Independent expenditure" means an either of 336
the following: 337

(i) An expenditure by a person advocating the election or 338
defeat of an identified candidate or candidates, that is not 339

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made with the consent of, in coordination, cooperation, or 340
 consultation with, or at the request or suggestion of any 341
 candidate or candidates or of the campaign committee or agent of 342
 the candidate or candidates; 343

(ii) An expenditure by a person advocating support of or 344
opposition to an identified ballot issue or question or to 345
achieve the successful circulation of an initiative or 346
referendum petition in order to place such an issue or question 347
on the ballot, regardless of whether the ballot issue or 348
question has yet been certified to appear on the ballot. As- 349

(b) As used in division (C)(17)—(C)(17)(a) of this 350
 section: 351

(a)—(i) "Person" means an individual, partnership, 352
 unincorporated business organization or association, political 353
 action committee, political contributing entity, separate 354
 segregated fund, association, or other organization or group of 355
 persons, but not a labor organization or a corporation unless 356
 the labor organization or corporation is a political 357
 contributing entity. 358

(b)—(ii) "Advocating" means any communication containing a 359
 message advocating election or defeat. 360

(c)—(iii) "Identified candidate" means that the name of 361
 the candidate appears, a photograph or drawing of the candidate 362
 appears, or the identity of the candidate is otherwise apparent 363
 by unambiguous reference. 364

(d)—(iv) "Made in coordination, cooperation, or 365
 consultation with, or at the request or suggestion of, any 366
 candidate or the campaign committee or agent of the candidate" 367
 means made pursuant to any arrangement, coordination, or 368

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direction by the candidate, the candidate's campaign committee, 369
 or the candidate's agent prior to the publication, distribution, 370
 display, or broadcast of the communication. An expenditure is 371
 presumed to be so made when it is any of the following: 372

(i) (I) Based on information about the candidate's plans, 373
 projects, or needs provided to the person making the expenditure 374
 by the candidate, or by the candidate's campaign committee or 375
 agent, with a view toward having an expenditure made; 376

(ii) (II) Made by or through any person who is, or has 377
 been, authorized to raise or expend funds, who is, or has been, 378
 an officer of the candidate's campaign committee, or who is, or 379
 has been, receiving any form of compensation or reimbursement 380
 from the candidate or the candidate's campaign committee or 381
 agent; 382

(iii) (III) Except as otherwise provided in division (D) 383
 of section 3517.105 of the Revised Code, made by a political 384
 party in support of a candidate, unless the expenditure is made 385
 by a political party to conduct voter registration or voter 386
 education efforts. 387

(e) (v) "Agent" means any person who has actual oral or 388
 written authority, either express or implied, to make or to 389
 authorize the making of expenditures on behalf of a candidate, 390
 or means any person who has been placed in a position with the 391
 candidate's campaign committee or organization such that it 392
 would reasonably appear that in the ordinary course of campaign- 393
 related activities the person may authorize expenditures. 394

(18) "Labor organization" means a labor union; an employee 395
 organization; a federation of labor unions, groups, locals, or 396
 other employee organizations; an auxiliary of a labor union, 397

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employee organization, or federation of labor unions, groups, locals, or other employee organizations; or any other bona fide organization in which employees participate and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, hours, and other terms and conditions of employment.	398 399 400 401 402 403
(19) "Separate segregated fund" means a separate segregated fund established pursuant to the Federal Election Campaign Act.	404 405 406
(20) "Federal Election Campaign Act" means the "Federal Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et seq., as amended.	407 408 409
(21) "Restricted fund" means the fund a state or county political party must establish under division (A) (1) of section 3517.1012 of the Revised Code.	410 411 412
(22) "Electioneering communication" has the same meaning as in section 3517.1011 of the Revised Code.	413 414
(23) "Express advocacy" means a communication that contains express words advocating the nomination, election, or defeat of a candidate or that contains express words advocating the adoption or defeat of a question or issue, as determined by a final judgment of a court of competent jurisdiction.	415 416 417 418 419
(24) "Political committee" has the same meaning as in section 3517.1011 of the Revised Code.	420 421
(25) "Political contributing entity" means any entity, including a corporation or labor organization, that may lawfully make contributions and expenditures and that is not an individual or a political action committee, continuing association, campaign committee, political party, legislative	422 423 424 425 426

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campaign fund, designated state campaign committee, or state	427
candidate fund. For purposes of this division, "lawfully" means	428
not prohibited by any section of the Revised Code, or authorized	429
by a final judgment of a court of competent jurisdiction.	430
(26) "Internet identifier of record" has the same meaning	431
as in section 9.312 of the Revised Code.	432
Sec. 3517.10. (A) Except as otherwise provided in this	433
division, every campaign committee, political action committee,	434
legislative campaign fund, political party, and political	435
contributing entity that made or received a contribution or made	436
an expenditure in connection with the nomination or election of	437
any candidate or in connection with any ballot issue or question	438
at any election held or to be held in this state shall file, on	439
a form prescribed under this section or by electronic means of	440
transmission as provided in this section and section 3517.106 of	441
the Revised Code, a full, true, and itemized statement, made	442
under penalty of election falsification, setting forth in detail	443
the contributions and expenditures, not later than four p.m. of	444
the following dates:	445
(1) The twelfth day before the election to reflect	446
contributions received and expenditures made from the close of	447
business on the last day reflected in the last previously filed	448
statement, if any, to the close of business on the twentieth day	449
before the election;	450
(2) The thirty-eighth day after the election to reflect	451
the contributions received and expenditures made from the close	452
of business on the last day reflected in the last previously	453
filed statement, if any, to the close of business on the seventh	454
day before the filing of the statement;	455

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(3) The last business day of January of every year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of December of the previous year;	456 457 458 459 460
(4) The last business day of July of every year to reflect the contributions received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of June of that year.	461 462 463 464 465
A campaign committee shall only be required to file the statements prescribed under divisions (A)(1) and (2) of this section in connection with the nomination or election of the committee's candidate.	466 467 468 469
The statement required under division (A)(1) of this section shall not be required of any campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity that has received contributions of less than one thousand dollars and has made expenditures of less than one thousand dollars at the close of business on the twentieth day before the election. Those contributions and expenditures shall be reported in the statement required under division (A)(2) of this section.	470 471 472 473 474 475 476 477 478
If an election to select candidates to appear on the general election ballot is held within sixty days before a general election, the campaign committee of a successful candidate in the earlier election may file the statement required by division (A)(1) of this section for the general election instead of the statement required by division (A)(2) of this section for the earlier election if the pregeneral election	479 480 481 482 483 484 485

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statement reflects the status of contributions and expenditures	486
for the period twenty days before the earlier election to twenty	487
days before the general election.	488
 If a person becomes a candidate less than twenty days	489
before an election, the candidate's campaign committee is not	490
required to file the statement required by division (A)(1) of	491
this section.	492
 No statement under division (A)(3) of this section shall	493
be required for any year in which a campaign committee,	494
political action committee, legislative campaign fund, political	495
party, or political contributing entity is required to file a	496
postgeneral election statement under division (A)(2) of this	497
section. However, a statement under division (A)(3) of this	498
section may be filed, at the option of the campaign committee,	499
political action committee, legislative campaign fund, political	500
party, or political contributing entity.	501
 No campaign committee of a candidate for the office of	502
chief justice or justice of the supreme court, and no campaign	503
committee of a candidate for the office of judge of any court in	504
this state, shall be required to file a statement under division	505
(A)(4) of this section.	506
 Except as otherwise provided in this paragraph and in the	507
next paragraph of this section, the only campaign committees	508
required to file a statement under division (A)(4) of this	509
section are the campaign committee of a statewide candidate and	510
the campaign committee of a candidate for county office. The	511
campaign committee of a candidate for any other nonjudicial	512
office is required to file a statement under division (A)(4) of	513
this section if that campaign committee receives, during that	514
period, contributions exceeding ten thousand dollars.	515

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No statement under division (A) (4) of this section shall 516
 be required of a campaign committee, a political action 517
 committee, a legislative campaign fund, a political party, or a 518
 political contributing entity for any year in which the campaign 519
 committee, political action committee, legislative campaign 520
 fund, political party, or political contributing entity is 521
 required to file a postprimary election statement under division 522
 (A) (2) of this section. However, a statement under division (A) 523
 (4) of this section may be filed at the option of the campaign 524
 committee, political action committee, legislative campaign 525
 fund, political party, or political contributing entity. 526

No statement under division (A) (3) or (4) of this section 527
 shall be required if the campaign committee, political action 528
 committee, legislative campaign fund, political party, or 529
 political contributing entity has no contributions that it has 530
 received and no expenditures that it has made since the last 531
 date reflected in its last previously filed statement. However, 532
 the campaign committee, political action committee, legislative 533
 campaign fund, political party, or political contributing entity 534
 shall file a statement to that effect, on a form prescribed 535
 under this section and made under penalty of election 536
 falsification, on the date required in division (A) (3) or (4) of 537
 this section, as applicable. 538

The campaign committee of a statewide candidate shall file 539
 a monthly statement of contributions received during each of the 540
 months of July, August, and September in the year of the general 541
 election in which the candidate seeks office. The campaign 542
 committee of a statewide candidate shall file the monthly 543
 statement not later than three business days after the last day 544
 of the month covered by the statement. During the period 545
 beginning on the nineteenth day before the general election in 546

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which a statewide candidate seeks election to office and 547
extending through the day of that general election, each time 548
the campaign committee of the joint candidates for the offices 549
of governor and lieutenant governor or of a candidate for the 550
office of secretary of state, auditor of state, treasurer of 551
state, or attorney general receives a contribution from a 552
contributor that causes the aggregate amount of contributions 553
received from that contributor during that period to equal or 554
exceed ten thousand dollars and each time the campaign committee 555
of a candidate for the office of chief justice or justice of the 556
supreme court receives a contribution from a contributor that 557
causes the aggregate amount of contributions received from that 558
contributor during that period to exceed ten thousand dollars, 559
the campaign committee shall file a two-business-day statement 560
reflecting that contribution. Contributions reported on a two- 561
business-day statement required to be filed by a campaign 562
committee of a statewide candidate in a primary election shall 563
also be included in the postprimary election statement required 564
to be filed by that campaign committee under division (A)(2) of 565
this section. A two-business-day statement required by this 566
paragraph shall be filed not later than two business days after 567
receipt of the contribution. The statements required by this 568
paragraph shall be filed in addition to any other statements 569
required by this section. 570

Subject to the secretary of state having implemented, 571
tested, and verified the successful operation of any system the 572
secretary of state prescribes pursuant to divisions (C)(6)(b) 573
and (D)(6) of this section and division (F)(1) of section 574
3517.106 of the Revised Code for the filing of campaign finance 575
statements by electronic means of transmission, a campaign 576
committee of a statewide candidate shall file a two-business-day 577

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statement under the preceding paragraph by electronic means of 578
 transmission if the campaign committee is required to file a 579
 pre-election, postelection, or monthly statement of 580
 contributions and expenditures by electronic means of 581
 transmission under this section or section 3517.106 of the 582
 Revised Code. 583

If a campaign committee or political action committee has 584
 no balance on hand and no outstanding obligations and desires to 585
 terminate itself, it shall file a statement to that effect, on a 586
 form prescribed under this section and made under penalty of 587
 election falsification, with the official with whom it files a 588
 statement under division (A) of this section after filing a 589
 final statement of contributions and a final statement of 590
 expenditures, if contributions have been received or 591
 expenditures made since the period reflected in its last 592
 previously filed statement. 593

(B) Except as otherwise provided in division (C) (7) of 594
 this section, each statement required by division (A) of this 595
 section shall contain the following information: 596

(1) The full name and address of each campaign committee, 597
 political action committee, legislative campaign fund, political 598
 party, or political contributing entity, including any treasurer 599
 of the committee, fund, party, or entity, filing a contribution 600
 and expenditure statement; 601

(2) (a) In the case of a campaign committee, the 602
 candidate's full name and address; 603

(b) In the case of a political action committee, the 604
 registration number assigned to the committee under division (D) 605
 (1) of this section. 606

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(3) The date of the election and whether it was or will be a general, primary, or special election;	607 608
(4) A statement of contributions received, which shall include the following information:	609 610
(a) The month, day, and year of the contribution;	611
(b) (i) The full name and address of each person, political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity from whom contributions are received and the registration number assigned to the political action committee under division (D)(1) of this section. The requirement of filing the full address does not apply to any statement filed by a state or local committee of a political party, to a finance committee of such committee, or to a committee recognized by a state or local committee as its fund-raising auxiliary. Notwithstanding division (F) of this section, the requirement of filing the full address shall be considered as being met if the address filed is the same address the contributor provided under division (E)(1) of this section.	612 613 614 615 616 617 618 619 620 621 622 623 624
(ii) If a political action committee, political contributing entity, legislative campaign fund, or political party that is required to file campaign finance statements by electronic means of transmission under section 3517.106 of the Revised Code or a campaign committee of a statewide candidate or candidate for the office of member of the general assembly receives a contribution from an individual that exceeds one hundred dollars, the name of the individual's current employer, if any, or, if the individual is self-employed, the individual's occupation and the name of the individual's business, if any;	625 626 627 628 629 630 631 632 633 634
(iii) If a campaign committee of a statewide candidate or	635

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candidate for the office of member of the general assembly	636
receives a contribution transmitted pursuant to section 3599.031	637
of the Revised Code from amounts deducted from the wages and	638
salaries of two or more employees that exceeds in the aggregate	639
one hundred dollars during any one filing period under division	640
(A) (1), (2), (3), or (4) of this section, the full name of the	641
employees' employer and the full name of the labor organization	642
of which the employees are members, if any.	643
(c) A description of the contribution received, if other	644
than money;	645
(d) The value in dollars and cents of the contribution;	646
(e) A separately itemized account of all contributions and	647
expenditures regardless of the amount, except a receipt of a	648
contribution from a person in the sum of twenty-five dollars or	649
less at one social or fund-raising activity and a receipt of a	650
contribution transmitted pursuant to section 3599.031 of the	651
Revised Code from amounts deducted from the wages and salaries	652
of employees if the contribution from the amount deducted from	653
the wages and salary of any one employee is twenty-five dollars	654
or less aggregated in a calendar year. An account of the total	655
contributions from each social or fund-raising activity shall	656
include a description of and the value of each in-kind	657
contribution received at that activity from any person who made	658
one or more such contributions whose aggregate value exceeded	659
two hundred fifty dollars and shall be listed separately,	660
together with the expenses incurred and paid in connection with	661
that activity. A campaign committee, political action committee,	662
legislative campaign fund, political party, or political	663
contributing entity shall keep records of contributions from	664
each person in the amount of twenty-five dollars or less at one	665

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social or fund-raising activity and contributions from amounts deducted under section 3599.031 of the Revised Code from the wages and salary of each employee in the amount of twenty-five dollars or less aggregated in a calendar year. No continuing association that is recognized by a state or local committee of a political party as an auxiliary of the party and that makes a contribution from funds derived solely from regular dues paid by members of the auxiliary shall be required to list the name or address of any members who paid those dues.	666 667 668 669 670 671 672 673 674
Contributions that are other income shall be itemized separately from all other contributions. The information required under division (B) (4) of this section shall be provided for all other income itemized. As used in this paragraph, "other income" means a loan, investment income, or interest income.	675 676 677 678 679
(f) In the case of a campaign committee of a state elected officer, if a person doing business with the state elected officer in the officer's official capacity makes a contribution to the campaign committee of that officer, the information required under division (B) (4) of this section in regard to that contribution, which shall be filed together with and considered a part of the committee's statement of contributions as required under division (A) of this section but shall be filed on a separate form provided by the secretary of state. As used in this division:	680 681 682 683 684 685 686 687 688 689
(i) "State elected officer" has the same meaning as in section 3517.092 of the Revised Code.	690 691
(ii) "Person doing business" means a person or an officer of an entity who enters into one or more contracts with a state elected officer or anyone authorized to enter into contracts on behalf of that officer to receive payments for goods or	692 693 694 695

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services, if the payments total, in the aggregate, more than 696
 five thousand dollars during a calendar year. 697

(5) A statement of expenditures which shall include the 698
 following information: 699

- (a) The month, day, and year of the expenditure; 700
- (b) The full name and address of each person, political 701
 party, campaign committee, legislative campaign fund, political 702
 action committee, or political contributing entity to whom the 703
 expenditure was made and the registration number assigned to the 704
 political action committee under division (D)(1) of this 705
 section; 706
- (c) The object or purpose for which the expenditure was 707
 made; 708
- (d) The amount of each expenditure. 709

(C) (1) The statement of contributions and expenditures 710
 shall be signed by the person completing the form. If a 711
 statement of contributions and expenditures is filed by 712
 electronic means of transmission pursuant to this section or 713
 section 3517.106 of the Revised Code, the electronic signature 714
 of the person who executes the statement and transmits the 715
 statement by electronic means of transmission, as provided in 716
 division (F) of section 3517.106 of the Revised Code, shall be 717
 attached to or associated with the statement and shall be 718
 binding on all persons and for all purposes under the campaign 719
 finance reporting law as if the signature had been handwritten 720
 in ink on a printed form. 721

(2) The person filing the statement, under penalty of 722
 election falsification, shall include with it a both of the 723
following: 724

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(a) A list of each anonymous contribution, the 725
circumstances under which it was received, and the reason it 726
cannot be attributed to a specific donor; 727

(b) A certification that the campaign committee, political 728
action committee, legislative campaign fund, political party, or 729
political contributing entity, as applicable, has not knowingly 730
accepted any contribution that is prohibited under this chapter 731
or section 3599.03 or 3599.031 of the Revised Code, including 732
under division (W) of section 3517.13 of the Revised Code, 733
during the period covered by the statement. 734

(3) Each statement of a campaign committee of a candidate 735
who holds public office shall contain a designation of each 736
contributor who is an employee in any unit or department under 737
the candidate's direct supervision and control. In a space 738
provided in the statement, the person filing the statement shall 739
affirm that each such contribution was voluntarily made. 740

(4) A campaign committee that did not receive 741
contributions or make expenditures in connection with the 742
nomination or election of its candidate shall file a statement 743
to that effect, on a form prescribed under this section and made 744
under penalty of election falsification, on the date required in 745
division (A) (2) of this section. 746

(5) The campaign committee of any person who attempts to 747
become a candidate and who, for any reason, does not become 748
certified in accordance with Title XXXV of the Revised Code for 749
placement on the official ballot of a primary, general, or 750
special election to be held in this state, and who, at any time 751
prior to or after an election, receives contributions or makes 752
expenditures, or has given consent for another to receive 753
contributions or make expenditures, for the purpose of bringing 754

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about the person's nomination or election to public office,	755
shall file the statement or statements prescribed by this	756
section and a termination statement, if applicable. Division (C)	757
(5) of this section does not apply to any person with respect to	758
an election to the offices of member of a county or state	759
central committee, presidential elector, or delegate to a	760
national convention or conference of a political party.	761
(6)(a) The statements required to be filed under this	762
section shall specify the balance in the hands of the campaign	763
committee, political action committee, legislative campaign	764
fund, political party, or political contributing entity and the	765
disposition intended to be made of that balance.	766
(b) The secretary of state shall prescribe the form for	767
all statements required to be filed under this section and shall	768
furnish the forms to the boards of elections in the several	769
counties. The boards of elections shall supply printed copies of	770
those forms without charge. The secretary of state shall	771
prescribe the appropriate methodology, protocol, and data file	772
structure for statements required or permitted to be filed by	773
electronic means of transmission to the secretary of state or a	774
board of elections under division (A) of this section, division	775
(E) of section 3517.106, division (D) of section 3517.1011,	776
division (B) of section 3517.1012, division (C) of section	777
3517.1013, and divisions (D) and (I) of section 3517.1014 of the	778
Revised Code. Subject to division (A) of this section, division	779
(E) of section 3517.106, division (D) of section 3517.1011,	780
division (B) of section 3517.1012, division (C) of section	781
3517.1013, and divisions (D) and (I) of section 3517.1014 of the	782
Revised Code, the statements required to be stored on computer	783
by the secretary of state under division (B) of section 3517.106	784
of the Revised Code shall be filed in whatever format the	785

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secretary of state considers necessary to enable the secretary of state to store the information contained in the statements on computer. Any such format shall be of a type and nature that is readily available to whoever is required to file the statements in that format. 786
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(c) The secretary of state shall assess the need for training regarding the filing of campaign finance statements by electronic means of transmission and regarding associated technologies for candidates, campaign committees, political action committees, legislative campaign funds, political parties, or political contributing entities, for individuals, partnerships, or other entities, for persons making disbursements to pay the direct costs of producing or airing electioneering communications, or for treasurers of transition funds, required or permitted to file statements by electronic means of transmission under this section or section 3517.105, 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 of the Revised Code. If, in the opinion of the secretary of state, training in these areas is necessary, the secretary of state shall arrange for the provision of voluntary training programs for candidates, campaign committees, political action committees, legislative campaign funds, political parties, or political contributing entities, for individuals, partnerships, and other entities, for persons making disbursements to pay the direct costs of producing or airing electioneering communications, or for treasurers of transition funds, as appropriate. 791
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(7) Each monthly statement and each two-business-day statement required by division (A) of this section shall contain the information required by divisions (B) (1) to (4), (C) (2), and, if appropriate, (C) (3) of this section. Each statement 813
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shall be signed as required by division (C) (1) of this section. 817

(D) (1) (a) Prior to receiving a contribution or making an expenditure, every campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity shall appoint a treasurer and shall file, on a form prescribed by the secretary of state, a designation of that appointment, including the full name and address of the treasurer and of the campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity. That designation shall be filed with the official with whom the campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity is required to file statements under section 3517.11 of the Revised Code. The name of a campaign committee shall include at least the last name of the campaign committee's candidate. If two or more candidates are the beneficiaries of a single campaign committee under division (B) of section 3517.081 of the Revised Code, the name of the campaign committee shall include at least the last name of each candidate who is a beneficiary of that campaign committee. The secretary of state shall assign a registration number to each political action committee that files a designation of the appointment of a treasurer under this division if the political action committee is required by division (A) (1) of section 3517.11 of the Revised Code to file the statements prescribed by this section with the secretary of state. 843

(b) The form of the designation of treasurer shall require the filer to certify, under penalty of election falsification, that the campaign committee, political action committee, legislative campaign fund, political party, or political 844
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contributing entity, as applicable, has not knowingly accepted, 848
and will not knowingly accept, any contribution that is 849
prohibited under this chapter or section 3599.03 or 3599.031 of 850
the Revised Code, including under division (W) of section 851
3517.13 of the Revised Code. 852

(c) The secretary of state shall not accept for filing a 853
 designation of treasurer of a political action committee or 854
 political contributing entity if, in the opinion of the 855
 secretary of state, the name of the political action committee 856
 or political contributing entity would lead a reasonable person 857
 to believe that the political action committee or political 858
 contributing entity acts on behalf of or represents a county 859
 political party, unless the designation is accompanied by a 860
 written statement, signed by the chairperson of the county 861
 political party's executive committee, granting the political 862
 action committee or political contributing entity permission to 863
 act on behalf of or represent the county political party. 864

(2) The treasurer appointed under division (D)(1) of this 865
 section shall keep a strict account of all contributions, from 866
 whom received and the purpose for which they were disbursed. 867

(3) (a) Except as otherwise provided in section 3517.108 of 868
 the Revised Code, a campaign committee shall deposit all 869
 monetary contributions received by the committee into an account 870
 separate from a personal or business account of the candidate or 871
 campaign committee. 872

(b) A political action committee shall deposit all 873
 monetary contributions received by the committee into an account 874
 separate from all other funds. 875

(c) A state or county political party may establish a 876

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state candidate fund that is separate from all other funds. A	877
state or county political party may deposit into its state	878
candidate fund any amounts of monetary contributions that are	879
made to or accepted by the political party subject to the	880
applicable limitations, if any, prescribed in section 3517.102	881
of the Revised Code. A state or county political party shall	882
deposit all other monetary contributions received by the party	883
into one or more accounts that are separate from its state	884
candidate fund.	885
(d) Each state political party shall have only one	886
legislative campaign fund for each house of the general	887
assembly. Each such fund shall be separate from any other funds	888
or accounts of that state party. A legislative campaign fund is	889
authorized to receive contributions and make expenditures for	890
the primary purpose of furthering the election of candidates who	891
are members of that political party to the house of the general	892
assembly with which that legislative campaign fund is	893
associated. Each legislative campaign fund shall be administered	894
and controlled in a manner designated by the caucus. As used in	895
this division, "caucus" has the same meaning as in section	896
3517.01 of the Revised Code and includes, as an ex officio	897
member, the chairperson of the state political party with which	898
the caucus is associated or that chairperson's designee.	899
(4) Every expenditure in excess of twenty-five dollars	900
shall be vouched for by a receipted bill, stating the purpose of	901
the expenditure, that shall be filed with the statement of	902
expenditures. A canceled check with a notation of the purpose of	903
the expenditure is a receipted bill for purposes of division (D)	904
(4) of this section.	905
(5) The secretary of state or the board of elections, as	906

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the case may be, shall issue a receipt for each statement filed 907
under this section and shall preserve a copy of the receipt for 908
a period of at least six years. All statements filed under this 909
section shall be open to public inspection in the office where 910
they are filed and shall be carefully preserved for a period of 911
at least six years after the year in which they are filed. 912

(6) The secretary of state, by rule adopted pursuant to 913
section 3517.23 of the Revised Code, shall prescribe both of the 914
following: 915

(a) The manner of immediately acknowledging, with date and 916
time received, and preserving the receipt of statements that are 917
transmitted by electronic means of transmission to the secretary 918
of state or a board of elections pursuant to this section or 919
section 3517.106, 3517.1011, 3517.1012, 3517.1013, or 3517.1014 920
of the Revised Code; 921

(b) The manner of preserving the contribution and 922
expenditure, contribution and disbursement, deposit and 923
disbursement, gift and disbursement, or donation and 924
disbursement information in the statements described in division 925
(D) (6) (a) of this section. The secretary of state shall preserve 926
the contribution and expenditure, contribution and disbursement, 927
deposit and disbursement, gift and disbursement, or donation and 928
disbursement information in those statements for at least ten 929
years after the year in which they are filed by electronic means 930
of transmission. 931

(7) (a) The secretary of state, pursuant to division (G) of 932
section 3517.106 of the Revised Code, shall make available 933
online to the public through the internet the contribution and 934
expenditure, contribution and disbursement, deposit and 935
disbursement, gift and disbursement, or donation and 936

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disbursement information in all of the following documents:	937
(i) All statements, all addenda, amendments, or other corrections to statements, and all amended statements filed with the secretary of state by electronic or other means of transmission under this section, division (B) (2) (b) or (C) (2) (b) of section 3517.105, or section 3517.106, 3517.1011, 3517.1012, 3517.1013, 3517.1014, or 3517.11 of the Revised Code;	938 939 940 941 942 943
(ii) All statements filed with a board of elections by electronic means of transmission, and all addenda, amendments, corrections, and amended versions of those statements, filed with the board under this section, division (B) (2) (b) or (C) (2) (b) of section 3517.105, or section 3517.106, 3517.1012, or 3517.11 of the Revised Code.	944 945 946 947 948 949
(b) The secretary of state may remove the information from the internet after a reasonable period of time.	950 951
(E) (1) Any person, political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity that makes a contribution in connection with the nomination or election of any candidate or in connection with any ballot issue or question at any election held or to be held in this state shall provide its full name and address to the recipient of the contribution at the time the contribution is made. The political action committee also shall provide the registration number assigned to the committee under division (D) (1) of this section to the recipient of the contribution at the time the contribution is made.	952 953 954 955 956 957 958 959 960 961 962
(2) Any individual who makes a contribution that exceeds one hundred dollars to a political action committee, political contributing entity, legislative campaign fund, or political	963 964 965

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party or to a campaign committee of a statewide candidate or	966
candidate for the office of member of the general assembly shall	967
provide the name of the individual's current employer, if any,	968
or, if the individual is self-employed, the individual's	969
occupation and the name of the individual's business, if any, to	970
the recipient of the contribution at the time the contribution	971
is made. Sections 3599.39 and 3599.40 of the Revised Code do not	972
apply to division (E) (2) of this section.	973
(3) If a campaign committee shows that it has exercised	974
its best efforts to obtain, maintain, and submit the information	975
required under divisions (B) (4) (b) (ii) and (iii) of this	976
section, that committee is considered to have met the	977
requirements of those divisions. A campaign committee shall not	978
be considered to have exercised its best efforts unless, in	979
connection with written solicitations, it regularly includes a	980
written request for the information required under division (B)	981
(4) (b) (ii) of this section from the contributor or the	982
information required under division (B) (4) (b) (iii) of this	983
section from whoever transmits the contribution.	984
(4) Any check that a political action committee uses to	985
make a contribution or an expenditure shall contain the full	986
name and address of the committee and the registration number	987
assigned to the committee under division (D) (1) of this section.	988
(F) As used in this section:	989
(1) (a) Except as otherwise provided in division (F) (1) of	990
this section, "address" means all of the following if they	991
exist: apartment number, street, road, or highway name and	992
number, rural delivery route number, city or village, state, and	993
zip code as used in a person's post-office address, but not	994
post-office box.	995

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(b) Except as otherwise provided in division (F) (1) of this section, if an address is required in this section, a post-office box and office, room, or suite number may be included in addition to, but not in lieu of, an apartment, street, road, or highway name and number.	996 997 998 999 1000
(c) If an address is required in this section, a campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity may use the business or residence address of its treasurer or deputy treasurer. The post-office box number of the campaign committee, political action committee, legislative campaign fund, political party, or political contributing entity may be used in addition to that address.	1001 1002 1003 1004 1005 1006 1007 1008
(d) For the sole purpose of a campaign committee's reporting of contributions on a statement of contributions received under division (B) (4) of this section, "address" has one of the following meanings at the option of the campaign committee:	1009 1010 1011 1012 1013
(i) The same meaning as in division (F) (1) (a) of this section;	1014 1015
(ii) All of the following, if they exist: the contributor's post-office box number and city or village, state, and zip code as used in the contributor's post-office address.	1016 1017 1018
(e) As used with regard to the reporting under this section of any expenditure, "address" means all of the following if they exist: apartment number, street, road, or highway name and number, rural delivery route number, city or village, state, and zip code as used in a person's post-office address, or post-office box. If an address concerning any expenditure is required	1019 1020 1021 1022 1023 1024

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in this section, a campaign committee, political action	1025
committee, legislative campaign fund, political party, or	1026
political contributing entity may use the business or residence	1027
address of its treasurer or deputy treasurer or its post-office	1028
box number.	1029
(2) "Statewide candidate" means the joint candidates for	1030
the offices of governor and lieutenant governor or a candidate	1031
for the office of secretary of state, auditor of state,	1032
treasurer of state, attorney general, member of the state board	1033
of education, chief justice of the supreme court, or justice of	1034
the supreme court.	1035
(3) "Candidate for county office" means a candidate for	1036
the office of county auditor, county treasurer, clerk of the	1037
court of common pleas, judge of the court of common pleas,	1038
sheriff, county recorder, county engineer, county commissioner,	1039
prosecuting attorney, or coroner.	1040
(G) An independent expenditure shall be reported whenever	1041
and in the same manner that an expenditure is required to be	1042
reported under this section and shall be reported pursuant to	1043
division (B) (2) (a) or (C) (2) (a) of section 3517.105 of the	1044
Revised Code.	1045
(H) (1) Except as otherwise provided in division (H) (2) of	1046
this section, if, during the combined pre-election and	1047
postelection reporting periods for an election, a campaign	1048
committee has received contributions of five hundred dollars or	1049
less and has made expenditures in the total amount of five	1050
hundred dollars or less, it may file a statement to that effect,	1051
under penalty of election falsification, in lieu of the	1052
statement required by division (A) (2) of this section. The	1053
statement shall indicate the total amount of contributions	1054

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received and the total amount of expenditures made during those 1055
combined reporting periods. 1056

(2) In the case of a successful candidate at a primary 1057
election, if either the total contributions received by or the 1058
total expenditures made by the candidate's campaign committee 1059
during the preprimary, postprimary, pregeneral, and postgeneral 1060
election periods combined equal more than five hundred dollars, 1061
the campaign committee may file the statement under division (H) 1062
(1) of this section only for the primary election. The first 1063
statement that the campaign committee files in regard to the 1064
general election shall reflect all contributions received and 1065
all expenditures made during the preprimary and postprimary 1066
election periods. 1067

(3) Divisions (H) (1) and (2) of this section do not apply 1068
if a campaign committee receives contributions or makes 1069
expenditures prior to the first day of January of the year of 1070
the election at which the candidate seeks nomination or election 1071
to office or if the campaign committee does not file a 1072
termination statement with its postprimary election statement in 1073
the case of an unsuccessful primary election candidate or with 1074
its postgeneral election statement in the case of other 1075
candidates. 1076

(I) In the case of a contribution made by a partner of a 1077
partnership or an owner or a member of another unincorporated 1078
business from any funds of the partnership or other 1079
unincorporated business, all of the following apply: 1080

(1) The recipient of the contribution shall report the 1081
contribution by listing both the partnership or other 1082
unincorporated business and the name of the partner, owner, or 1083
member making the contribution. 1084

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(2) In reporting the contribution, the recipient of the 1085
 contribution shall be entitled to conclusively rely upon the 1086
 information provided by the partnership or other unincorporated 1087
 business, provided that the information includes one of the 1088
 following: 1089

(a) The name of each partner, owner, or member as of the 1090
 date of the contribution or contributions, and a statement that 1091
 the total contributions are to be allocated equally among all of 1092
 the partners, owners, or members; or 1093

(b) The name of each partner, owner, or member as of the 1094
 date of the contribution or contributions who is participating 1095
 in the contribution or contributions, and a statement that the 1096
 contribution or contributions are to be allocated to those 1097
 individuals in accordance with the information provided by the 1098
 partnership or other unincorporated business to the recipient of 1099
 the contribution. 1100

(3) For purposes of section 3517.102 of the Revised Code, 1101
 the contribution shall be considered to have been made by the 1102
 partner, owner, or member reported under division (I)(1) of this 1103
 section. 1104

(4) No contribution from a partner of a partnership or an 1105
 owner or a member of another unincorporated business shall be 1106
 accepted from any funds of the partnership or other 1107
 unincorporated business unless the recipient reports the 1108
 contribution under division (I)(1) of this section together with 1109
 the information provided under division (I)(2) of this section. 1110

(5) No partnership or other unincorporated business shall 1111
 make a contribution or contributions solely in the name of the 1112
 partnership or other unincorporated business. 1113

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(6) As used in division (I) of this section, "partnership or other unincorporated business" includes, but is not limited to, a cooperative, a sole proprietorship, a general partnership, a limited partnership, a limited partnership association, a limited liability partnership, and a limited liability company.	1114 1115 1116 1117 1118
(J) A candidate shall have only one campaign committee at any given time for all of the offices for which the person is a candidate or holds office.	1119 1120 1121
(K) (1) In addition to filing a designation of appointment of a treasurer under division (D)(1) of this section, the campaign committee of any candidate for an elected municipal office that pays an annual amount of compensation of five thousand dollars or less, the campaign committee of any candidate for member of a board of education except member of the state board of education, or the campaign committee of any candidate for township trustee or township fiscal officer may sign, under penalty of election falsification, a certificate attesting that the committee will not accept contributions during an election period that exceed in the aggregate two thousand dollars from all contributors and one hundred dollars from any one individual, and that the campaign committee will not make expenditures during an election period that exceed in the aggregate two thousand dollars.	1122 1123 1124 1125 1126 1127 1128 1129 1130 1131 1132 1133 1134 1135 1136
The certificate shall be on a form prescribed by the secretary of state and shall be filed not later than ten days after the candidate files a declaration of candidacy and petition, a nominating petition, or a declaration of intent to be a write-in candidate.	1137 1138 1139 1140 1141
(2) Except as otherwise provided in division (K)(3) of this section, a campaign committee that files a certificate	1142 1143

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under division (K) (1) of this section is not required to file 1144
 the statements required by division (A) of this section. 1145

(3) If, after filing a certificate under division (K) (1) 1146
 of this section, a campaign committee exceeds any of the 1147
 limitations described in that division during an election 1148
 period, the certificate is void and thereafter the campaign 1149
 committee shall file the statements required by division (A) of 1150
 this section. If the campaign committee has not previously filed 1151
 a statement, then on the first statement the campaign committee 1152
 is required to file under division (A) of this section after the 1153
 committee's certificate is void, the committee shall report all 1154
 contributions received and expenditures made from the time the 1155
 candidate filed the candidate's declaration of candidacy and 1156
 petition, nominating petition, or declaration of intent to be a 1157
 write-in candidate. 1158

(4) As used in division (K) of this section, "election 1159
 period" means the period of time beginning on the day a person 1160
 files a declaration of candidacy and petition, nominating 1161
 petition, or declaration of intent to be a write-in candidate 1162
 through the day of the election at which the person seeks 1163
 nomination to office if the person is not elected to office, or, 1164
 if the candidate was nominated in a primary election, the day of 1165
 the election at which the candidate seeks office. 1166

(L) A political contributing entity that receives 1167
 contributions from the dues, membership fees, or other 1168
 assessments of its members or from its officers, shareholders, 1169
 and employees may report the aggregate amount of contributions 1170
 received from those contributors and the number of individuals 1171
 making those contributions, for each filing period under 1172
 divisions (A) (1), (2), (3), and (4) of this section, rather than 1173

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reporting information as required under division (B) (4) of this 1174
 section, including, when applicable, the name of the current 1175
 employer, if any, of a contributor whose contribution exceeds 1176
 one hundred dollars or, if such a contributor is self-employed, 1177
 the contributor's occupation and the name of the contributor's 1178
 business, if any. Division (B) (4) of this section applies to a 1179
 political contributing entity with regard to contributions it 1180
 receives from all other contributors. 1181

Sec. 3517.12. (A) ~~Prior to receiving a contribution or~~ 1182
~~making an expenditure, the circulator or If the~~ committee in 1183
 charge of an initiative or referendum petition, or supplementary 1184
 petition for additional signatures, for the submission to the 1185
electors of a constitutional amendment, proposed law, section, 1186
 or item of any law wishes to receive any contribution or make 1187
any expenditure for the purpose of achieving the successful 1188
circulation of the petition, the committee shall appoint a 1189
treasurer and shall file with the secretary of state, on a form 1190
prescribed by the secretary of state, a designation of that 1191
appointment, including the full name and address of the 1192
treasurer and of the circulator or committeefile a designation 1193
of treasurer under division (D) of section 3517.10 of the 1194
Revised Code as a political action committee before receiving a 1195
contribution or making an expenditure and thereafter shall 1196
comply with all applicable requirements of this chapter 1197
concerning political action committees. 1198

(B) ~~The circulator or If the~~ committee in charge of an 1199
 initiative or referendum petition, or supplementary petition for 1200
 additional signatures, for the submission to the electors of a 1201
 constitutional amendment, proposed law, section, or item of any 1202
 law receives no contributions and makes no expenditures for the 1203
purpose of achieving the successful circulation of the petition, 1204

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and is not otherwise considered a campaign committee, political party, legislative campaign fund, political action committee, or political contributing entity, then the committee shall, within thirty days after those the petition papers are is filed, file with the secretary of state, on a form prescribed by the secretary of state, an itemized a statement, made under penalty of election falsification, showing in detail the following:

(1) All money or things of value paid, given, promised, or received for circulating the petitions; 1212
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(2) All appointments, promotions, or increases in salary, in positions which were given, promised, or received, or to obtain which assistance was given, promised, or received as a consideration for work done in circulating petitions; 1214
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(3) Full names and addresses, including street, city, and state, of all persons to whom such payments or promises were made and of all persons from whom such payments or promises were received; 1218
1219
1220
1221

(4) Full names and addresses, including street, city, and state, of all persons who contributed anything of value to be used in circulating the petitions, and the amounts of these contributions; 1222
1223
1224
1225

(5) Time spent and salaries earned while soliciting signatures to petitions by persons who were regular salaried employees of some person or whom that employer authorized to solicit as part of their regular duties. 1226
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If that the committee received no money or things of value were paid or received or if no promises were made or received as a consideration for work done in circulating a petition, the statement shall contain words to that effect 1230
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contributions and made no expenditures for the purpose of 1234
achieving the successful circulation of the petition. 1235

~~(C) The treasurer designated under division (A) of this~~ 1236
~~section shall file statements of contributions and expenditures~~ 1237
~~in accordance with section 3517.10 of the Revised Code regarding~~ 1238
~~all contributions made or received and all expenditures made by~~ 1239
~~that treasurer or the circulator or committee in connection with~~ 1240
~~the initiative or referendum petition, or supplementary petition~~ 1241
~~for additional signatures, for the submission of a~~ 1242
~~constitutional amendment, proposed law, section, or item of any~~ 1243
~~law.~~ 1244

Sec. 3517.13. (A) (1) No campaign committee of a statewide 1245
candidate shall fail to file a complete and accurate statement 1246
required under division (A) (1) of section 3517.10 of the Revised 1247
Code. 1248

(2) No campaign committee of a statewide candidate shall 1249
fail to file a complete and accurate monthly statement, and no 1250
campaign committee of a statewide candidate or a candidate for 1251
the office of chief justice or justice of the supreme court 1252
shall fail to file a complete and accurate two-business-day 1253
statement, as required under section 3517.10 of the Revised 1254
Code. 1255

As used in this division, "statewide candidate" has the 1256
same meaning as in division (F) (2) of section 3517.10 of the 1257
Revised Code. 1258

(B) No campaign committee shall fail to file a complete 1259
and accurate statement required under division (A) (1) of section 1260
3517.10 of the Revised Code. 1261

(C) No campaign committee shall fail to file a complete 1262

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and accurate statement required under division (A) (2) of section	1263
3517.10 of the Revised Code.	1264
(D) No campaign committee shall fail to file a complete	1265
and accurate statement required under division (A) (3) or (4) of	1266
section 3517.10 of the Revised Code.	1267
(E) No person other than a campaign committee shall	1268
knowingly fail to file a statement required under section	1269
3517.10 or 3517.107 of the Revised Code.	1270
(F) No person shall make cash contributions to any person	1271
totaling more than one hundred dollars in each primary, special,	1272
or general election.	1273
(G) (1) No person shall knowingly conceal or misrepresent	1274
contributions given or received, expenditures made, or any other	1275
information required to be reported by a provision in sections	1276
3517.08 to 3517.13 of the Revised Code.	1277
(2) (a) No person shall make a contribution to a campaign	1278
committee, political action committee, political contributing	1279
entity, legislative campaign fund, political party, or person	1280
making disbursements to pay the direct costs of producing or	1281
airing electioneering communications in the name of another	1282
person.	1283
(b) A person does not make a contribution in the name of	1284
another when either of the following applies:	1285
(i) An individual makes a contribution from a partnership	1286
or other unincorporated business account, if the contribution is	1287
reported by listing both the name of the partnership or other	1288
unincorporated business and the name of the partner or owner	1289
making the contribution as required under division (I) of	1290
section 3517.10 of the Revised Code.	1291

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(ii) A person makes a contribution in that person's spouse's name or in both of their names.	1292 1293
(H) No person within this state, publishing a newspaper or other periodical, shall charge a campaign committee for political advertising a rate in excess of the rate such person would charge if the campaign committee were a general rate advertiser whose advertising was directed to promoting its business within the same area as that encompassed by the particular office that the candidate of the campaign committee is seeking. The rate shall take into account the amount of space used, as well as the type of advertising copy submitted by or on behalf of the campaign committee. All discount privileges otherwise offered by a newspaper or periodical to general rate advertisers shall be available upon equal terms to all campaign committees.	1294 1295 1296 1297 1298 1299 1300 1301 1302 1303 1304 1305 1306
No person within this state, operating a radio or television station or network of stations in this state, shall charge a campaign committee for political broadcasts a rate that exceeds:	1307 1308 1309 1310
(1) During the forty-five days preceding the date of a primary election and during the sixty days preceding the date of a general or special election in which the candidate of the campaign committee is seeking office, the lowest unit charge of the station for the same class and amount of time for the same period;	1311 1312 1313 1314 1315 1316
(2) At any other time, the charges made for comparable use of that station by its other users.	1317 1318
(I) Subject to divisions (K), (L), (M), and (N) of this section, no agency or department of this state or any political	1319 1320

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subdivision shall award any contract, other than one let by 1321
 competitive bidding or a contract incidental to such contract or 1322
 which is by force account, for the purchase of goods costing 1323
 more than five hundred dollars or services costing more than 1324
 five hundred dollars to any individual, partnership, 1325
 association, including, without limitation, a professional 1326
 association organized under Chapter 1785. of the Revised Code, 1327
 estate, or trust if the individual has made or the individual's 1328
 spouse has made, or any partner, shareholder, administrator, 1329
 executor, or trustee or the spouse of any of them has made, as 1330
 an individual, within the two previous calendar years, one or 1331
 more contributions totaling in excess of one thousand dollars to 1332
 the holder of the public office having ultimate responsibility 1333
 for the award of the contract or to the public officer's 1334
 campaign committee. 1335

(J) Subject to divisions (K), (L), (M), and (N) of this 1336
 section, no agency or department of this state or any political 1337
 subdivision shall award any contract, other than one let by 1338
 competitive bidding or a contract incidental to such contract or 1339
 which is by force account, for the purchase of goods costing 1340
 more than five hundred dollars or services costing more than 1341
 five hundred dollars to a corporation or business trust, except 1342
 a professional association organized under Chapter 1785. of the 1343
 Revised Code, if an owner of more than twenty per cent of the 1344
 corporation or business trust or the spouse of that person has 1345
 made, as an individual, within the two previous calendar years, 1346
 taking into consideration only owners for all of that period, 1347
 one or more contributions totaling in excess of one thousand 1348
 dollars to the holder of a public office having ultimate 1349
 responsibility for the award of the contract or to the public 1350
 officer's campaign committee. 1351

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(K) For purposes of divisions (I) and (J) of this section,	1352
if a public officer who is responsible for the award of a	1353
contract is appointed by the governor, whether or not the	1354
appointment is subject to the advice and consent of the senate,	1355
excluding members of boards, commissions, committees,	1356
authorities, councils, boards of trustees, task forces, and	1357
other such entities appointed by the governor, the office of the	1358
governor is considered to have ultimate responsibility for the	1359
award of the contract.	1360
(L) For purposes of divisions (I) and (J) of this section,	1361
if a public officer who is responsible for the award of a	1362
contract is appointed by the elected chief executive officer of	1363
a municipal corporation, or appointed by the elected chief	1364
executive officer of a county operating under an alternative	1365
form of county government or county charter, excluding members	1366
of boards, commissions, committees, authorities, councils,	1367
boards of trustees, task forces, and other such entities	1368
appointed by the chief executive officer, the office of the	1369
chief executive officer is considered to have ultimate	1370
responsibility for the award of the contract.	1371
(M) (1) Divisions (I) and (J) of this section do not apply	1372
to contracts awarded by the board of commissioners of the	1373
sinking fund, municipal legislative authorities, boards of	1374
education, boards of county commissioners, boards of township	1375
trustees, or other boards, commissions, committees, authorities,	1376
councils, boards of trustees, task forces, and other such	1377
entities created by law, by the supreme court or courts of	1378
appeals, by county courts consisting of more than one judge,	1379
courts of common pleas consisting of more than one judge, or	1380
municipal courts consisting of more than one judge, or by a	1381
division of any court if the division consists of more than one	1382

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judge. This division shall apply to the specified entity only if 1383
 the members of the entity act collectively in the award of a 1384
 contract for goods or services. 1385

(2) Divisions (I) and (J) of this section do not apply to 1386
 actions of the controlling board. 1387

(N) (1) Divisions (I) and (J) of this section apply to 1388
 contributions made to the holder of a public office having 1389
 ultimate responsibility for the award of a contract, or to the 1390
 public officer's campaign committee, during the time the person 1391
 holds the office and during any time such person was a candidate 1392
 for the office. Those divisions do not apply to contributions 1393
 made to, or to the campaign committee of, a candidate for or 1394
 holder of the office other than the holder of the office at the 1395
 time of the award of the contract. 1396

(2) Divisions (I) and (J) of this section do not apply to 1397
 contributions of a partner, shareholder, administrator, 1398
 executor, trustee, or owner of more than twenty per cent of a 1399
 corporation or business trust made before the person held any of 1400
 those positions or after the person ceased to hold any of those 1401
 positions in the partnership, association, estate, trust, 1402
 corporation, or business trust whose eligibility to be awarded a 1403
 contract is being determined, nor to contributions of the 1404
 person's spouse made before the person held any of those 1405
 positions, after the person ceased to hold any of those 1406
 positions, before the two were married, after the granting of a 1407
 decree of divorce, dissolution of marriage, or annulment, or 1408
 after the granting of an order in an action brought solely for 1409
 legal separation. Those divisions do not apply to contributions 1410
 of the spouse of an individual whose eligibility to be awarded a 1411
 contract is being determined made before the two were married, 1412

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after the granting of a decree of divorce, dissolution of marriage, or annulment, or after the granting of an order in an action brought solely for legal separation.	1413 1414 1415
(O) No beneficiary of a campaign fund or other person shall convert for personal use, and no person shall knowingly give to a beneficiary of a campaign fund or any other person, for the beneficiary's or any other person's personal use, anything of value from the beneficiary's campaign fund, including, without limitation, payments to a beneficiary for services the beneficiary personally performs, except as reimbursement for any of the following:	1416 1417 1418 1419 1420 1421 1422 1423
(1) Legitimate and verifiable prior campaign expenses incurred by the beneficiary;	1424 1425
(2) Legitimate and verifiable ordinary and necessary prior expenses incurred by the beneficiary in connection with duties as the holder of a public office, including, without limitation, expenses incurred through participation in nonpartisan or bipartisan events if the participation of the holder of a public office would normally be expected;	1426 1427 1428 1429 1430 1431
(3) Legitimate and verifiable ordinary and necessary prior expenses incurred by the beneficiary while doing any of the following:	1432 1433 1434
(a) Engaging in activities in support of or opposition to a candidate other than the beneficiary, political party, or ballot issue;	1435 1436 1437
(b) Raising funds for a political party, political action committee, political contributing entity, legislative campaign fund, campaign committee, or other candidate;	1438 1439 1440
(c) Participating in the activities of a political party,	1441

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political action committee, political contributing entity,	1442
legislative campaign fund, or campaign committee;	1443
(d) Attending a political party convention or other	1444
political meeting.	1445
For purposes of this division, an expense is incurred	1446
whenever a beneficiary has either made payment or is obligated	1447
to make payment, as by the use of a credit card or other credit	1448
procedure or by the use of goods or services received on	1449
account.	1450
(P) No beneficiary of a campaign fund shall knowingly	1451
accept, and no person shall knowingly give to the beneficiary of	1452
a campaign fund, reimbursement for an expense under division (O)	1453
of this section to the extent that the expense previously was	1454
reimbursed or paid from another source of funds. If an expense	1455
is reimbursed under division (O) of this section and is later	1456
paid or reimbursed, wholly or in part, from another source of	1457
funds, the beneficiary shall repay the reimbursement received	1458
under division (O) of this section to the extent of the payment	1459
made or reimbursement received from the other source.	1460
(Q) No candidate or public official or employee shall	1461
accept for personal or business use anything of value from a	1462
political party, political action committee, political	1463
contributing entity, legislative campaign fund, or campaign	1464
committee other than the candidate's or public official's or	1465
employee's own campaign committee, and no person shall knowingly	1466
give to a candidate or public official or employee anything of	1467
value from a political party, political action committee,	1468
political contributing entity, legislative campaign fund, or	1469
such a campaign committee, except for the following:	1470

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(1) Reimbursement for legitimate and verifiable ordinary and necessary prior expenses not otherwise prohibited by law incurred by the candidate or public official or employee while engaged in any legitimate activity of the political party, political action committee, political contributing entity, legislative campaign fund, or such campaign committee. Without limitation, reimbursable expenses under this division include those incurred while doing any of the following:	1471 1472 1473 1474 1475 1476 1477 1478
(a) Engaging in activities in support of or opposition to another candidate, political party, or ballot issue;	1479 1480
(b) Raising funds for a political party, legislative campaign fund, campaign committee, or another candidate;	1481 1482
(c) Attending a political party convention or other political meeting.	1483 1484
(2) Compensation not otherwise prohibited by law for actual and valuable personal services rendered under a written contract to the political party, political action committee, political contributing entity, legislative campaign fund, or such campaign committee for any legitimate activity of the political party, political action committee, political contributing entity, legislative campaign fund, or such campaign committee.	1485 1486 1487 1488 1489 1490 1491 1492
Reimbursable expenses under this division do not include, and it is a violation of this division for a candidate or public official or employee to accept, or for any person to knowingly give to a candidate or public official or employee from a political party, political action committee, political contributing entity, legislative campaign fund, or campaign committee other than the candidate's or public official's or	1493 1494 1495 1496 1497 1498 1499

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employee's own campaign committee, anything of value for	1500
activities primarily related to the candidate's or public	1501
official's or employee's own campaign for election, except for	1502
contributions to the candidate's or public official's or	1503
employee's campaign committee.	1504
For purposes of this division, an expense is incurred	1505
whenever a candidate or public official or employee has either	1506
made payment or is obligated to make payment, as by the use of a	1507
credit card or other credit procedure, or by the use of goods or	1508
services on account.	1509
(R) (1) Division (O) or (P) of this section does not	1510
prohibit a campaign committee from making direct advance or post	1511
payment from contributions to vendors for goods and services for	1512
which reimbursement is permitted under division (O) of this	1513
section, except that no campaign committee shall pay its	1514
candidate or other beneficiary for services personally performed	1515
by the candidate or other beneficiary.	1516
(2) If any expense that may be reimbursed under division	1517
(O), (P), or (Q) of this section is part of other expenses that	1518
may not be paid or reimbursed, the separation of the two types	1519
of expenses for the purpose of allocating for payment or	1520
reimbursement those expenses that may be paid or reimbursed may	1521
be by any reasonable accounting method, considering all of the	1522
surrounding circumstances.	1523
(3) For purposes of divisions (O), (P), and (Q) of this	1524
section, mileage allowance at a rate not greater than that	1525
allowed by the internal revenue service at the time the travel	1526
occurs may be paid instead of reimbursement for actual travel	1527
expenses allowable.	1528

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(S) (1) As used in division (S) of this section:	1529
(a) "State elective office" has the same meaning as in section 3517.092 of the Revised Code.	1530
(b) "Federal office" means a federal office as defined in the Federal Election Campaign Act.	1532
(c) "Federal campaign committee" means a principal campaign committee or authorized committee as defined in the Federal Election Campaign Act.	1534
(2) No person who is a candidate for state elective office and who previously sought nomination or election to a federal office shall transfer any funds or assets from that person's federal campaign committee for nomination or election to the federal office to that person's campaign committee as a candidate for state elective office.	1537
(3) No campaign committee of a person who is a candidate for state elective office and who previously sought nomination or election to a federal office shall accept any funds or assets from that person's federal campaign committee for that person's nomination or election to the federal office.	1543
(T) (1) Except as otherwise provided in division (B) (6) (c) of section 3517.102 of the Revised Code, a state or county political party shall not disburse moneys from any account other than a state candidate fund to make contributions to any of the following:	1548
(a) A state candidate fund;	1553
(b) A legislative campaign fund;	1554
(c) A campaign committee of a candidate for the office of governor, lieutenant governor, secretary of state, auditor of	1555
	1556

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state, treasurer of state, attorney general, member of the state 1557
 board of education, or member of the general assembly. 1558

(2) No state candidate fund, legislative campaign fund, or 1559
 campaign committee of a candidate for any office described in 1560
 division (T)(1)(c) of this section shall knowingly accept a 1561
 contribution in violation of division (T)(1) of this section. 1562

(U) No person shall fail to file a statement required 1563
 under section 3517.12 of the Revised Code. 1564

(V) No campaign committee shall fail to file a statement 1565
 required under division (K)(3) of section 3517.10 of the Revised 1566
 Code. 1567

(W) (1) No foreign national shall, directly or indirectly 1568
 through any other person or entity, make knowingly do any of the 1569
following: 1570

(a) Make a contribution, expenditure, or independent 1571
expenditure or promise, either expressly or implicitly, to make 1572
a contribution, expenditure, or independent expenditure in 1573
support of or opposition to a candidate for any elective office 1574
in this state, including an office of a political party; 1575

(b) Solicit another person to make a contribution, 1576
expenditure, or independent expenditure; 1577

(c) Make a loan, gift, deposit, forgiveness of 1578
indebtedness, donation, advance, payment, or transfer of funds 1579
to another person with a designation, instruction, or 1580
encumbrance that the foreign national knows will result in any 1581
part of the loan, gift, deposit, forgiveness of indebtedness, 1582
donation, advance, payment, or transfer of funds being used to 1583
make a contribution, expenditure, or independent expenditure. As 1584
used in this division, "designation, instruction, or 1585

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encumbrance" includes any designation, instruction, or
encumbrance that is direct or indirect, express or implied, oral
or written, or involving an intermediary or conduit.

(2) No candidate, campaign committee, political action
 committee, political contributing entity, legislative campaign
 fund, state candidate fund, political party, ~~or separate~~
 segregated fund, or continuing association shall do either of
the following:

(a) Knowingly transfer funds, or accept a transfer of
funds, directly or indirectly into an account from which the
person makes contributions or expenditures from an account that
is controlled by the person or by the person's affiliate and
that the person, at any time, knew to contain funds described in
division (W) (1) of this section that are received directly or
indirectly through another person or entity from a foreign
national. For purposes of this division, a person is affiliated
with another person if they are both established, financed,
maintained, or controlled by, or if they are, the same person,
including any parent, subsidiary, division, or department of
that person.

(b) Otherwise knowingly solicit or accept a contribution,
expenditure, or independent expenditure, directly or indirectly
through another person or entity, from a foreign national. The
secretary of state may direct any candidate, committee, entity,
fund, or party that accepts a contribution, expenditure, or
independent expenditure in violation of this division to return
the contribution, expenditure, or independent expenditure or, if
it is not possible to return the contribution, expenditure, or
independent expenditure, then to return instead the value of it,
to the contributor.

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(3) No person shall knowingly aid or facilitate a violation of division (W) (1) or (2) of this section. 1616
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(4) As used in division (W) of this section, "foreign national" has the same meaning as in section 441e(b) of the Federal Election Campaign Act means any of the following, as applicable: 1618
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(a) In the case of an individual, an individual who is not a United States citizen or national; 1622
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(b) A government of a foreign country or of a political subdivision of a foreign country; 1624
1625

(c) A foreign political party; 1626

(d) A person, other than an individual, that is organized under the laws of, or has its principal place of business in, a foreign country. 1627
1628
1629

(X) (1) No state or county political party shall transfer any moneys from its restricted fund to any account of the political party into which contributions may be made or from which contributions or expenditures may be made. 1630
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1632
1633

(2) (a) No state or county political party shall deposit a contribution or contributions that it receives into its restricted fund. 1634
1635
1636

(b) No state or county political party shall make a contribution or an expenditure from its restricted fund. 1637
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(3) (a) No corporation or labor organization shall make a gift or gifts from the corporation's or labor organization's money or property aggregating more than ten thousand dollars to any one state or county political party for the party's restricted fund in a calendar year. 1639
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(b) No state or county political party shall accept a gift	1644
or gifts for the party's restricted fund aggregating more than	1645
ten thousand dollars from any one corporation or labor	1646
organization in a calendar year.	1647
(4) No state or county political party shall transfer any	1648
moneys in the party's restricted fund to any other state or	1649
county political party.	1650
(5) No state or county political party shall knowingly	1651
fail to file a statement required under section 3517.1012 of the	1652
Revised Code.	1653
(Y) The administrator of workers' compensation and the	1654
employees of the bureau of workers' compensation shall not	1655
conduct any business with or award any contract, other than one	1656
awarded by competitive bidding, for the purchase of goods	1657
costing more than five hundred dollars or services costing more	1658
than five hundred dollars to any individual, partnership,	1659
association, including, without limitation, a professional	1660
association organized under Chapter 1785. of the Revised Code,	1661
estate, or trust, if the individual has made, or the	1662
individual's spouse has made, or any partner, shareholder,	1663
administrator, executor, or trustee, or the spouses of any of	1664
those individuals has made, as an individual, within the two	1665
previous calendar years, one or more contributions totaling in	1666
excess of one thousand dollars to the campaign committee of the	1667
governor or lieutenant governor or to the campaign committee of	1668
any candidate for the office of governor or lieutenant governor.	1669
(Z) The administrator of workers' compensation and the	1670
employees of the bureau of workers' compensation shall not	1671
conduct business with or award any contract, other than one	1672
awarded by competitive bidding, for the purchase of goods	1673

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costing more than five hundred dollars or services costing more 1674
 than five hundred dollars to a corporation or business trust, 1675
 except a professional association organized under Chapter 1785. 1676
 of the Revised Code, if an owner of more than twenty per cent of 1677
 the corporation or business trust, or the spouse of the owner, 1678
 has made, as an individual, within the two previous calendar 1679
 years, taking into consideration only owners for all of such 1680
 period, one or more contributions totaling in excess of one 1681
 thousand dollars to the campaign committee of the governor or 1682
 lieutenant governor or to the campaign committee of any 1683
 candidate for the office of governor or lieutenant governor. 1684

Sec. 3517.155. (A) (1) Except as otherwise provided in 1685
 division (B) of this section, the Ohio elections commission 1686
 shall hold its first hearing on a complaint filed with it, other 1687
 than a complaint that receives an expedited hearing under 1688
 section 3517.156 of the Revised Code, not later than ninety 1689
 business days after the complaint is filed unless the commission 1690
 has good cause to hold the hearing after that time, in which 1691
 case it shall hold the hearing not later than one hundred eighty 1692
 business days after the complaint is filed. At the hearing, the 1693
 commission shall determine whether or not the failure to act or 1694
 the violation alleged in the complaint has occurred and shall do 1695
 only one of the following, except as otherwise provided in 1696
~~division (B) of~~ this section or in division (B) of section 1697
 3517.151 of the Revised Code: 1698

(a) Enter a finding that good cause has been shown not to 1699
 impose a fine or not to refer the matter to the appropriate 1700
 prosecutor; 1701

(b) Impose a fine under section 3517.993 of the Revised 1702
 Code; 1703

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(c) Refer the matter to the appropriate prosecutor, as determined under division (A) (2) of this section. 1704
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(2) As used in division (A) of this section, "appropriate prosecutor" means a prosecutor as defined in section 2935.01 of the Revised Code and either of the following: 1706
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(a) In the case of a failure to comply with or a violation of law involving a campaign committee or the committee's candidate, a political party, a legislative campaign fund, a political action committee, or a political contributing entity, that is required to file a statement of contributions and expenditures with the secretary of state under division (A) of section 3517.11 of the Revised Code any of the following persons, the prosecutor of Franklin county, commission shall refer the matter to the attorney general, except that if the attorney general is a victim or witness or otherwise involved in the matter, the commission shall refer the matter to a county prosecutor whom the commission deems appropriate to prosecute the matter: 1709
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(i) A campaign committee, or the committee's candidate, for a statewide office or the state board of education; 1722
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(ii) A committee described in section 3517.12 of the Revised Code or any other person with respect to contributions, expenditures, or independent expenditures made or accepted for the purpose of advocating support of or opposition to an identified statewide ballot issue or question; 1724
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(iii) Any person, other than an individual, whose principal place of business is not in Ohio; 1729
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(iv) Any individual who is not a resident of Ohio. 1731

(b) In the case of a failure to comply with or a violation 1732

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of law involving any other campaign committee or committee's
 candidate, or any other political party, political action
 committee, or political contributing entity either of the
 following as determined by the commission: 1733
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(i) The prosecutor of Franklin county; 1737

(ii) The other person, the commission shall refer the 1738
matter to the prosecutor of the county in which the candidacy or 1739
ballot question or issue is submitted to the electors or, if it 1740
is submitted in more than one county, the most populous of those 1741
countiesperson, other than an individual, has its principal 1742
place of business or the county in which the individual resides, 1743
as applicable, except that if that prosecutor is a victim or 1744
witness or otherwise involved in the matter, the commission 1745
shall refer the matter to a county prosecutor whom the 1746
commission deems appropriate to prosecute the matter. Upon the 1747
request of the prosecutor to whom the commission refers the 1748
matter, the attorney general may assume responsibility for 1749
prosecuting the matter, unless the attorney general is a victim 1750
or witness or is otherwise involved in the matter. 1751

(3) When the commission refers a matter to the attorney 1752
general under this section, or when the attorney general assumes 1753
responsibility for prosecuting a matter under this section, the 1754
attorney general may prosecute the matter with all the rights, 1755
privileges, and powers conferred by law on prosecuting 1756
attorneys, including the power to appear before grand juries and 1757
to interrogate witnesses before such grand juries. These powers 1758
of the attorney general are in addition to any other applicable 1759
powers of the attorney general. 1760

(B) If the commission decides that the evidence is 1761
 insufficient for it to determine whether or not the failure to 1762

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act or the violation alleged in the complaint has occurred, the
 commission, by the affirmative vote of five members, may request
 that an investigatory attorney investigate the complaint. Upon
 that request, an investigatory attorney shall make an
 investigation in order to produce sufficient evidence for the
 commission to decide the matter. If the commission requests an
 investigation under this division, for good cause shown by the
 investigatory attorney, the commission may extend by sixty days
 the deadline for holding its first hearing on the complaint as
 required in division (A) of this section.

(C) The commission shall take one of the actions required
 under division (A) of this section not later than thirty days
 after the close of all the evidence presented.

(D) (1) The commission shall make any finding of a failure
 to comply with or a violation of law in regard to a complaint
 that alleges a violation of division (A) or (B) of section
 3517.21, or division (A) or (B) of section 3517.22 of the
 Revised Code by clear and convincing evidence. The commission
 shall make any finding of a failure to comply with or a
 violation of law in regard to any other complaint by a
 preponderance of the evidence.

(2) If the commission finds a violation of division (B) of
 section 3517.21 or division (B) of section 3517.22 of the
 Revised Code, it shall refer the matter to the appropriate
 prosecutor under division (A)(1)(c) of this section and shall
 not impose a fine under division (A)(1)(b) of this section or
 section 3517.993 of the Revised Code.

(3) If the commission finds a violation of division (W) of
section 3517.13 of the Revised Code, it shall do one of the
following:

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<p><u>(a) Impose a fine under section 3517.993 of the Revised Code in an amount equal to three times the amount involved in the violation or ten thousand dollars, whichever amount is greater, with none of the fine suspended and, in the case of a violation of division (W) (2) of section 3517.13 of the Revised Code, order the violator to return an amount equal to any amount accepted in violation of that division to the foreign national from whom it was accepted;</u></p> <p><u>(b) Refer the matter to the appropriate prosecutor under division (A) (1) (c) of this section.</u></p> <p>(E) In an action before the commission or a panel of the commission, if the allegations of the complainant are not proved, and the commission takes the action described in division (A) (1) (a) of this section or a panel of the commission takes the action described in division (C) (1) of section 3517.156 of the Revised Code, the commission or a panel of the commission may find that the complaint is frivolous, and, if the commission or panel so finds, the commission shall order the complainant to pay reasonable attorney's fees and to pay the costs of the commission or panel as determined by a majority of the members of the commission. The costs paid to the commission or panel under this division shall be deposited into the Ohio elections commission fund.</p> <p>Sec. 3517.992. This section establishes penalties only with respect to acts or failures to act that occur on and after August 24, 1995.</p> <p>(A) (1) A candidate whose campaign committee violates division (A), (B), (C), (D), or (V) of section 3517.13 of the Revised Code, or a treasurer of a campaign committee who violates any of those divisions, shall be fined not more than</p>	1793 1794 1795 1796 1797 1798 1799 1800 1801 1802 1803 1804 1805 1806 1807 1808 1809 1810 1811 1812 1813 1814 1815 1816 1817 1818 1819 1820 1821 1822
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one hundred dollars for each day of violation.	1823
(2) Whoever violates division (E) or (X)(5) of section 3517.13 or division (E)(1) of section 3517.1014 of the Revised Code shall be fined not more than one hundred dollars for each day of violation.	1824
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(B) An entity that violates division (G)(1) of section 3517.101 of the Revised Code shall be fined not more than one hundred dollars for each day of violation.	1828
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(C) Whoever violates division (G)(2) of section 3517.101, division (G) of section 3517.13, or division (E)(2) or (3) of section 3517.1014 of the Revised Code shall be fined not more than ten thousand dollars or, if the offender is a person who was nominated or elected to public office, shall forfeit the nomination or the office to which the offender was elected, or both.	1831
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(D) Whoever violates division (F) of section 3517.13 of the Revised Code shall be fined not more than three times the amount contributed.	1838
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(E) Whoever violates division (H) of section 3517.13 of the Revised Code shall be fined not more than one hundred dollars.	1841
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(F) Whoever violates division (O), (P), or (Q) of section 3517.13 of the Revised Code is guilty of a misdemeanor of the first degree.	1844
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(G) A state or county committee of a political party that violates division (B)(1) of section 3517.18 of the Revised Code as that section existed before its repeal by H.B. 166 of the 133rd general assembly shall be fined not more than twice the amount of the improper expenditure.	1847
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(H) An entity that violates division (H) of section	1852
3517.101 of the Revised Code shall be fined not more than twice	1853
the amount of the improper expenditure or use.	1854
(I) (1) Any individual who violates division (B) (1) of	1855
section 3517.102 of the Revised Code and knows that the	1856
contribution the individual makes violates that division shall	1857
be fined an amount equal to three times the amount contributed	1858
in excess of the amount permitted by that division.	1859
(2) Any political action committee that violates division	1860
(B) (2) of section 3517.102 of the Revised Code shall be fined an	1861
amount equal to three times the amount contributed in excess of	1862
the amount permitted by that division.	1863
(3) Any campaign committee that violates division (B) (3)	1864
or (5) of section 3517.102 of the Revised Code shall be fined an	1865
amount equal to three times the amount contributed in excess of	1866
the amount permitted by that division.	1867
(4) (a) Any legislative campaign fund that violates	1868
division (B) (6) of section 3517.102 of the Revised Code shall be	1869
fined an amount equal to three times the amount transferred or	1870
contributed in excess of the amount permitted by that division,	1871
as applicable.	1872
(b) Any state political party, county political party, or	1873
state candidate fund of a state political party or county	1874
political party that violates division (B) (6) of section	1875
3517.102 of the Revised Code shall be fined an amount equal to	1876
three times the amount transferred or contributed in excess of	1877
the amount permitted by that division, as applicable.	1878
(c) Any political contributing entity that violates	1879
division (B) (7) of section 3517.102 of the Revised Code shall be	1880

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fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.	1881 1882
(5) Any political party that violates division (B) (4) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount contributed in excess of the amount permitted by that division.	1883 1884 1885 1886
(6) Notwithstanding divisions (I)(1), (2), (3), (4), and (5) of this section, no violation of division (B) of section 3517.102 of the Revised Code occurs, and the secretary of state shall not refer parties to the Ohio elections commission, if the amount transferred or contributed in excess of the amount permitted by that division meets either of the following conditions:	1887 1888 1889 1890 1891 1892 1893
(a) It is completely refunded within five business days after it is accepted.	1894 1895
(b) It is completely refunded on or before the tenth business day after notification to the recipient of the excess transfer or contribution by the board of elections or the secretary of state that a transfer or contribution in excess of the permitted amount has been received.	1896 1897 1898 1899 1900
(J) (1) Any campaign committee that violates division (C) (1), (2), (3), or (6) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	1901 1902 1903 1904
(2) (a) Any county political party that violates division (C) (4) (a) (ii) or (iii) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted.	1905 1906 1907 1908
(b) Any county political party that violates division (C)	1909

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(4) (a) (i) of section 3517.102 of the Revised Code shall be fined an amount from its state candidate fund equal to three times the amount accepted in excess of the amount permitted by that division.	1910 1911 1912 1913
(c) Any state political party that violates division (C) (4) (b) of section 3517.102 of the Revised Code shall be fined an amount from its state candidate fund equal to three times the amount accepted in excess of the amount permitted by that division.	1914 1915 1916 1917 1918
(3) Any legislative campaign fund that violates division (C) (5) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	1919 1920 1921 1922
(4) Any political action committee or political contributing entity that violates division (C) (7) of section 3517.102 of the Revised Code shall be fined an amount equal to three times the amount accepted in excess of the amount permitted by that division.	1923 1924 1925 1926 1927
(5) Notwithstanding divisions (J) (1), (2), (3), and (4) of this section, no violation of division (C) of section 3517.102 of the Revised Code occurs, and the secretary of state shall not refer parties to the Ohio elections commission, if the amount transferred or contributed in excess of the amount permitted to be accepted by that division meets either of the following conditions:	1928 1929 1930 1931 1932 1933 1934
(a) It is completely refunded within five business days after its acceptance.	1935 1936
(b) It is completely refunded on or before the tenth business day after notification to the recipient of the excess	1937 1938

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transfer or contribution by the board of elections or the 1939
 secretary of state that a transfer or contribution in excess of 1940
 the permitted amount has been received. 1941

(K) (1) Any legislative campaign fund that violates 1942
 division (F) (1) of section 3517.102 of the Revised Code shall be 1943
 fined twenty-five dollars for each day of violation. 1944

(2) Any legislative campaign fund that violates division 1945
 (F) (2) of section 3517.102 of the Revised Code shall give to the 1946
 treasurer of state for deposit into the state treasury to the 1947
 credit of the Ohio elections commission fund all excess 1948
 contributions not disposed of as required by division (E) of 1949
 section 3517.102 of the Revised Code. 1950

(L) Whoever violates section 3517.105 of the Revised Code 1951
 shall be fined one thousand dollars. 1952

(M) (1) Whoever solicits a contribution in violation of 1953
 section 3517.092 or violates division (B) of section 3517.09 of 1954
 the Revised Code is guilty of a misdemeanor of the first degree. 1955

(2) Whoever knowingly accepts a contribution in violation 1956
 of division (B) or (C) of section 3517.092 of the Revised Code 1957
 shall be fined an amount equal to three times the amount 1958
 accepted in violation of either of those divisions and shall 1959
 return to the contributor any amount so accepted. Whoever 1960
 unknowingly accepts a contribution in violation of division (B) 1961
 or (C) of section 3517.092 of the Revised Code shall return to 1962
 the contributor any amount so accepted. 1963

(N) Whoever violates division (S) of section 3517.13 of 1964
 the Revised Code shall be fined an amount equal to three times 1965
 the amount of funds transferred or three times the value of the 1966
 assets transferred in violation of that division. 1967

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(O) Any campaign committee that accepts a contribution or contributions in violation of section 3517.108 of the Revised Code, uses a contribution in violation of that section, or fails to dispose of excess contributions in violation of that section shall be fined an amount equal to three times the amount accepted, used, or kept in violation of that section.	1968 1969 1970 1971 1972 1973
(P) Any political party, state candidate fund, legislative candidate fund, or campaign committee that violates division (T) of section 3517.13 of the Revised Code shall be fined an amount equal to three times the amount contributed or accepted in violation of that section.	1974 1975 1976 1977 1978
(Q) A treasurer of a committee or another person who violates division (U) of section 3517.13 of the Revised Code shall be fined not more than two hundred fifty dollars.	1979 1980 1981
(R) Whoever violates division (I) or (J) of section 3517.13 of the Revised Code shall be fined not more than one thousand dollars. Whenever a person is found guilty of violating division (I) or (J) of section 3517.13 of the Revised Code, the contract awarded in violation of either of those divisions shall be rescinded if its terms have not yet been performed.	1982 1983 1984 1985 1986 1987
(S) A candidate whose campaign committee violates or a treasurer of a campaign committee who violates section 3517.081 of the Revised Code, and a candidate whose campaign committee violates or a treasurer of a campaign committee or another person who violates division (C) of section 3517.10 of the Revised Code, shall be fined not more than five hundred dollars.	1988 1989 1990 1991 1992 1993
(T) A candidate whose campaign committee violates or a treasurer of a committee who violates division (B) of section 3517.09 of the Revised Code, or a candidate whose campaign	1994 1995 1996

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committee violates or a treasurer of a campaign committee or another person who violates division (C) of section 3517.09 of the Revised Code shall be fined not more than one thousand dollars.	1997 1998 1999 2000
(U) Whoever violates section 3517.20 of the Revised Code shall be fined not more than five hundred dollars.	2001 2002
(V) Whoever violates section 3517.21 or 3517.22 of the Revised Code shall be imprisoned for not more than six months or fined not more than five thousand dollars, or both.	2003 2004 2005
(W) A campaign committee that is required to file a declaration of no limits under division (D)(2) of section 3517.103 of the Revised Code that, before filing that declaration, accepts a contribution or contributions that exceed the limitations prescribed in section 3517.102 of the Revised Code, shall return that contribution or those contributions to the contributor.	2006 2007 2008 2009 2010 2011 2012
(X) Any campaign committee that fails to file the declaration of filing-day finances required by division (F) of section 3517.109 of the Revised Code shall be fined twenty-five dollars for each day of violation.	2013 2014 2015 2016
(Y) (1) Any campaign committee that fails to dispose of excess funds or excess aggregate contributions under division (B) of section 3517.109 of the Revised Code in the manner required by division (C) of that section shall give to the treasurer of state for deposit into the Ohio elections commission fund created under division (I) of section 3517.152 of the Revised Code all funds not disposed of pursuant to that division.	2017 2018 2019 2020 2021 2022 2023 2024
(2) Any treasurer of a transition fund that fails to	2025

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dispose of assets remaining in the transition fund as required
 under division (H) (1) or (2) of section 3517.1014 of the Revised
 Code shall give to the treasurer of state for deposit into the
 Ohio elections commission fund all assets not disposed of
 pursuant to that division.

(Z) Any individual, campaign committee, political action
 committee, political contributing entity, legislative campaign
 fund, political party, treasurer of a transition fund, or other
 entity that violates any provision of sections 3517.09 to
 3517.12 of the Revised Code for which no penalty is provided for
 under any other division of this section shall be fined not more
 than one thousand dollars.

(AA) (1) Whoever knowingly violates division (W) (1) of
 section 3517.13 of the Revised Code shall be fined an amount
 equal to three times the amount contributed, expended, or
 promised in violation of that division or ten thousand dollars,
 whichever amount is greater.

(2) Whoever knowingly violates division (W) (2) of section
 3517.13 of the Revised Code shall be fined an amount equal to
 three times the amount solicited or accepted in violation of
 that division or ten thousand dollars, whichever amount is
 greater, and shall be required to return an amount equal to any
amount accepted in violation of that division to the foreign
national from whom it was accepted.

(3) Whoever knowingly violates division (W) (3) of section
3517.13 of the Revised Code shall be fined an amount equal to
three times the amount involved in the violation or ten thousand
dollars, whichever amount is greater.

(BB) Whoever knowingly violates division (C) or (D) of

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section 3517.1011 of the Revised Code shall be fined not more 2055
 than ten thousand dollars plus not more than one thousand 2056
 dollars for each day of violation. 2057

(CC) (1) Subject to division (CC) (2) of this section, 2058
 whoever violates division (H) of section 3517.1011 of the 2059
 Revised Code shall be fined an amount up to three times the 2060
 amount disbursed for the direct costs of airing the 2061
 communication made in violation of that division. 2062

(2) Whoever has been ordered by the Ohio elections 2063
 commission or by a court of competent jurisdiction to cease 2064
 making communications in violation of division (H) of section 2065
 3517.1011 of the Revised Code who again violates that division 2066
 shall be fined an amount equal to three times the amount 2067
 disbursed for the direct costs of airing the communication made 2068
 in violation of that division. 2069

(DD) (1) Any corporation or labor organization that 2070
 violates division (X) (3) (a) of section 3517.13 of the Revised 2071
 Code shall be fined an amount equal to three times the amount 2072
 given in excess of the amount permitted by that division. 2073

(2) Any state or county political party that violates 2074
 division (X) (3) (b) of section 3517.13 of the Revised Code shall 2075
 be fined an amount equal to three times the amount accepted in 2076
 excess of the amount permitted by that division. 2077

(EE) (1) Any campaign committee or person who violates 2078
 division (C) (1) (b) or (c) of section 3517.1014 of the Revised 2079
 Code shall be fined an amount equal to three times the amount 2080
 donated in excess of the amount permitted by that division. 2081

(2) Any officeholder or treasurer of a transition fund who 2082
 violates division (C) (3) (a) or (b) of section 3517.1014 of the 2083

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Revised Code shall be fined an amount equal to three times the
amount accepted in excess of the amount permitted by that
division.

Sec. 3517.993. This section authorizes the establishment
of fines that may be imposed only with respect to acts or
failures to act that occur on and after August 24, 1995.

(A) Except as otherwise provided in division-divisions (D)
(2) and (3) of section 3517.155 of the Revised Code, the Ohio
elections commission may impose administrative fines under
division (A) (1)(b) of section 3517.155 of the Revised Code in
accordance with the amounts set forth under sections 3517.992,
3599.03, and 3599.031 of the Revised Code.

(B) The Except as otherwise provided in division (D) (3) of
section 3517.155 of the Revised Code, the commission may suspend
all or part of a fine it imposes under this section upon
whatever terms and conditions the commission considers just.

(C) (1) The commission shall consider any of the following
circumstances in determining whether to impose a maximum fine
under this section:

(a) Whether the violator has been found guilty of any
other violation of Title XXXV of the Revised Code;

(b) Whether the violation was made knowingly or purposely;

(c) Whether any relevant statements, addenda, or
affidavits required to be filed have not been filed;

(d) Whether the violator has any outstanding fines imposed
for a violation of Title XXXV of the Revised Code;

(e) Whether the violation occurred during the course of a
campaign.

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(2) The commission shall consider any of the following 2112 circumstances in determining whether to impose a minimal fine or 2113 no fine under this section: 2114

(a) Whether the violator previously has not been found 2115 guilty of any other violation of Title XXXV of the Revised Code; 2116

(b) Whether the violator has promptly corrected the 2117 violator's violation; 2118

(c) Whether the nature and circumstances of the violation 2119 merit a minimum fine; 2120

(d) Whether there are substantial grounds tending to 2121 excuse or justify the violation, although failing to establish a 2122 defense to the violation; 2123

(e) Whether the violation was not purposely committed. 2124

(3) The circumstances set forth in divisions (C)(1) and 2125 (2) of this section shall be considered by, but shall not 2126 control the decision of, the commission in imposing a fine. 2127

(D) Fines imposed by the commission under this section 2128 shall be paid into the Ohio elections commission fund. 2129

Section 2. That existing sections 3505.06, 3517.01, 2130 3517.10, 3517.12, 3517.13, 3517.155, 3517.992, and 3517.993 of 2131 the Revised Code are hereby repealed. 2132

Section 3. (A) Notwithstanding any provision of the 2133 Revised Code to the contrary, but subject to section 1.14 of the 2134 Revised Code: 2135

(1) For purposes of the 2024 general election, a major 2136 political party shall certify to the Secretary of State in 2137 writing the names of its candidates for president and vice- 2138

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president nominated by its national convention pursuant to	2139
section 3505.10 of the Revised Code not later than the effective	2140
date of this section. The political party may transmit the	2141
certification to the Secretary of State by any reasonably	2142
reliable method that, under the circumstances, will provide for	2143
the Secretary of State to receive it by the deadline, including	2144
by any of the following methods:	2145
(a) Hand delivery;	2146
(b) Certified, express, or ordinary mail delivery by the	2147
United States Postal Service;	2148
(c) Commercial carrier service;	2149
(d) Facsimile transmission;	2150
(e) Electronic mail.	2151
(2) The Secretary of State shall certify the forms of the	2152
official ballots to be used at the 2024 general election not	2153
later than the fourth day after the effective date of this	2154
section.	2155
(B) For purposes of this section, "major political party"	2156
has the same meaning as in section 3501.01 of the Revised Code.	2157
Section 4. Section 3 of this act is intended to apply	2158
retroactively to certifications of candidates required to be	2159
made under section 3505.10 of the Revised Code and to the	2160
certification of the forms of the official ballots under section	2161
3505.01 of the Revised Code for purposes of the 2024 general	2162
election. Section 3 of this act is remedial in nature because it	2163
prevents a major political party's candidates for President and	2164
Vice-President from being inadvertently excluded from the ballot	2165
at the 2024 general election.	2166

**Am. Sub. H. B. No. 271
As Passed by the Senate**

Page 75

Section 5. This act responds to the Governor's proclamation calling a special session of the General Assembly beginning on Tuesday, May 28, 2024, for the following purposes:	2167
(A) Enabling a major political party to certify to the Ohio Secretary of State the names of the major party candidates for President and Vice-President of the United States of America nominated by the party's national convention pursuant to section 3505.10 of the Revised Code;	2170
(B) Meaningfully strengthening the State of Ohio's prohibition against foreign influence with and in Ohio's elections.	2175
	2176
	2177

Exhibit F



MIKE DEWINE
GOVERNOR
STATE OF OHIO

PROCLAMATION

WHEREAS, Article III, Section 8 of the Ohio Constitution authorizes the Governor on extraordinary occasions to convene the General Assembly by proclamation; and

WHEREAS, Section 3505.10(B)(1) of the Ohio Revised Code requires major political parties to certify the names of their joint candidates for president and vice president to the Secretary of State at least ninety (90) days before the general election; and

WHEREAS, a major political party is set to nominate its joint candidates for president and vice president at its national convention on August 19-22, 2024, which is less than ninety (90) days before the 2024 general election; and

WHEREAS, failure of a major political party to have its joint candidates for president and vice president on the general election ballot will reduce the number of voters thus impacting down ballot races such as the U.S. Senate race; and

WHEREAS, it is in the best interest of the State of Ohio that the joint candidates for president and vice president for both major political parties be on the Ohio ballot in the 2024 general election; and

WHEREAS, the opaque nature of certain foreign political contributions is an issue of primary importance in the State of Ohio and needs to be further deliberated and resolved by the General Assembly; and

WHEREAS, the Ohio House of Representatives and Ohio Senate have been deliberating these important issues. Examples of this potential legislation include, in whole or in part, Sub. House Bill 114, Am. Sub. House Bill 305, and Sub. Senate Bill 215; and

WHEREAS, based on these foregoing and extraordinary occasions, I am compelled to issue this proclamation for the general assembly to consider legislation which accomplishes the purposes of enabling a major political party to certify the names of their joint candidates for president and vice president to the Secretary of State within 70 days of the general election and to strengthen the State of Ohio's existing prohibitions against foreign influence in Ohio's elections prior to the 2024 General Election; and

NOW, THEREFORE, I, Mike DeWine, Governor of the State of Ohio, hereby declare that an extraordinary occasion exists and convene the General Assembly into special session, in accordance with Article III, Section 8 of the Ohio Constitution, to begin Tuesday, May 28, 2024 and Wednesday, May 29, 2024, and to be held at the Statehouse in Columbus, for the following purposes:

1. To enable a major political party to certify to the Ohio Secretary of State the names of the major party candidates for president and vice president of the United States of America nominated by the party's national convention pursuant to Section 3505.10 of the Revised Code, which may include consideration of Sub. H.B. No. 114 As Passed by the Senate, Sub. S.B. No. 92 As Reported by the House Government Oversight Committee, or other similar legislation effectuating this purpose, and
2. To meaningfully strengthen the State of Ohio's prohibition against foreign influence with and in Ohio's elections, which may include consideration of Sub. H.B. No. 114 As Passed by the Senate, Am. Sub. H.B. No. 305 As Passed by the Senate, Sub. S.B. No. 215 As Passed by the Senate, or other similar legislation effectuating this purpose.

This proclamation shall take effect immediately and remain in full force and effect unless it is rescinded or modified by me.



In Testimony Whereof, I have hereunto Subscribed my name and caused the Great Seal of the State of Ohio to be affixed at Columbus, this 23rd day of May, in the year Two Thousand and Twenty-Four.


Mike DeWine
Governor, State of Ohio

Exhibit G



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Transcript of Testimony of Ohio Senate General Government Committee

Date: February 21, 2024

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6 TRANSCRIPT OF VIDEO-RECORDED

7 TESTIMONY OF THE

8 OHIO SENATE GENERAL GOVERNMENT COMMITTEE

9 FEBRUARY 21, 2024

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20 Job No.: 540606

21 Pages: 1 - 48

22 Transcribed by: Christian Naaden

Transcript of Testimony of Ohio Senate General Government Committee

Conducted on February 21, 2024

2

1 P R O C E E D I N G S

2 SEN. RULLI: The chair will now bring forth
3 Senate Bill 215. Senator McColley and Senator Gavarone
4 for their first hearing. Welcome to committee.

5 SEN. GAVARONE: Thank you, Chair Rulli, Vice-
6 Chair Reineke and fellow members of the Senate General
7 Government Committee. Thank you for the chance to
8 provide sponsor testimony on Senate Bill 215,
9 legislation which prevents foreign interests from
10 participating directly or indirectly in ballot issues.

11 Both Ohio and federal law already prohibit
12 foreign interests from participating in candidate
13 races. Therefore, this bill simply closes the finance -
14 - campaign finance loophole for issue campaigns. Nearly
15 80 percent of voters favor a ban on foreign individuals
16 and entities funding ballot initiatives, with the
17 support for the ban being strongest amongst
18 Republicans, Democrats and Independents.

19 Multiple states have similar laws already in
20 place or legislation pending to prohibit foreign
21 contributions in these campaigns. In addition, this
22 legislation retains current law requiring campaigns

Transcript of Testimony of Ohio Senate General Government Committee

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3

1 that accept money from foreign interests to pay a fine
2 equal to three times the amount accepted or \$10,000,
3 whichever's greater.

4 Strengthens requirements that the campaign
5 also repay contributions by making this a mandatory
6 requirement. Current law only requires repayment if the
7 Secretary of State so orders. Senate Bill 215 also
8 specifies that the expenditures made during this
9 signature gathering phase, including expenditures made
10 to defeat or frustrate signature gathering, are subject
11 to the requirements of the bill and cannot be funded by
12 foreign interests.

13 Lastly, Senate Bill 215 ensures that the group
14 working on the ballot initiative is classified as a
15 political action committee, a PAC. This ensures these
16 groups comply with the PAC filing requirements. These
17 requirements include ongoing campaign finance
18 disclosures and a new requirement that the PAC
19 treasurer certify that the group has not accepted
20 foreign contributions.

21 To be clear, this campaign finance reform
22 measure will ensure that all of Ohio's elections are

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4

1 not impacted by foreign influences and it'll better
2 protect Ohio -- Ohio's elections from foreign interests
3 hiding behind dark money entities like 501(c)(4)s.

4 For example, in 2023, the Sixteen Thirty Funds
5 spent over \$13 million across all three Ohio ballot
6 campaigns. This fund has received over \$220 million
7 from a Swiss billionaire, Hansjorg Wyss, since 2016.
8 \$220 million. Senate Bill 215 would ensure that foreign
9 billionaires cannot influence elections in our state.

10 Thank you again for the opportunity to provide
11 sponsor testimony on Senate Bill 215. We'd be happy to
12 answer any questions Committee may have.

13 SEN. MCCOLLEY: We can go straight to
14 questions, Mr. Chairman.

15 SEN. RULLI: Thank you both for your
16 testimonies. So, we'll start -- I'll start off the
17 questions. I always like to ask the genesis of your
18 thought process for doing this. I think when you look
19 over the last 20 or 30 years of the American elections
20 both parties question the results. We could have hours
21 of debate on that.

22 So where was the genesis that the two senators

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1 came up with this thought?

2 SEN. GAVARONE: To the Chairman, I can tell
3 you that I recently learned of this Swiss billionaire
4 throwing all this money into Ohio -- Ohio's ballot
5 initiatives. And you got to wonder, what interest does
6 a foreign national have in changing Ohio's
7 constitution.

8 It's wrong. They -- so for decades now,
9 foreign nationals have not been able to participate in
10 candidate races. So, this is just an expansion to close
11 the loophole so they cannot provide funding in ballot
12 initiative elections as well.

13 SEN. MCCOLLEY: Mr. Chairman, I would -- I
14 would say the genesis that I have in this is -- is
15 similar but as Senator Gavarone pointed out, this has
16 been on the books for federal law since 1972, I
17 believe, on the books for Ohio law for candidate
18 elections since 1999.

19 And actually there's an Elections Commission
20 opinion issued in 2021 that says that Ohio law already
21 prohibits expenditures by groups that receive money
22 from foreign nationals on issues campaigns even though

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6

1 the same prohibition is already expressly in place for
2 candidate elections.

3 So, this is something that also seeks to
4 fortify Ohio law and -- and eliminate any ambiguity
5 because very clearly that elections commission co-
6 opinion did not stop entities like the Sixteen Thirty
7 Fund from pouring tens of millions of dollars into the
8 state of Ohio over the last 12 months on these issues
9 campaigns. And, you know, wherever the voters decide to
10 go on these issues campaigns that is up to them. That's
11 something that I think we have to -- we have to look at
12 and we have to respect the will of the voters on those
13 campaigns.

14 But I think all Ohioans should be able to
15 universally agree that we want the people who are
16 participating in these elections to actually be
17 citizens of the United States. They should not be
18 people from foreign countries who are trying to put
19 their invisible hands some way into these elections and
20 influencing them unduly against -- against the laws of
21 the state of Ohio or other states or even federal law.

22 SEN. RULLI: I appreciate that. And I have a

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1 follow up. I know that when we look at different middle
2 eastern monies that have been infiltrating American
3 universities and colleges we could trace it back to
4 about seven to eight years ago when that influx began.
5 Is there a moment in history that we could trace
6 foreign influence? Surprisingly, Switzerland or
7 Finland, you said.

8 SEN. GAVARONE: Swiss -- a Swiss billionaire.

9 SEN. RULLI: Switzerland. That's a surprising
10 country that how it had an influence on Ohio politics.
11 But is there something that happened on the time table
12 that this began? Is it within the last 5, 10, or 20
13 years?

14 MS. MCCOLLEY: To the Chairman, we're going to
15 have a number of witnesses who are going to come up
16 here after us who are, what I would say, would qualify
17 as national experts on these issues. They've been
18 studying it, they've been gathering information from
19 tax returns from these organizations for some years.

20 They're going to be able to tell you with a
21 reasonable degree of certainty when these types of
22 contributions started with these organizations and

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8

1 when, quiet frankly, the volume and breath of these
2 types of involvements at the dollar amounts we're
3 talking about began. It's something that, of course,
4 we've all known and in many cases been frustrated by
5 the rise of money in politics. But certainly the rise
6 of foreign money in politics and the rise of foreign
7 money trying to impact our elections is a troubling
8 concern.

9 SEN. RULLI: I really appreciate those
10 answers. And I am going to turn my attention now to our
11 Honorable Senator DeMora for a question.

12 SEN. DEMORA: Thank you Mr. Chairman.

13 Obviously you both know where I stand on this.
14 But so your presumptive presidential nominee -- nominee
15 gets all kind of money from Saudi Arabia and Russia and
16 these third-party groups that then spend money on his
17 behalf. So, but that's okay, but it's not okay for
18 somebody to actually give money to liberal leading
19 causes.

20 So, again, all the groups that they're going
21 to come up here after -- after you guys talk are all
22 conservative think tanks that all get funded by dark

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1 money, their donors are not known. So, how is -- I
2 mean, so how can you say that just because one person
3 gave some money to one group who actually was on the --
4 we'll say the correct side of an issue last year, now
5 all of a sudden because that issue actually prevailed,
6 now we have to get rid of dark money. It -- had your
7 side prevailed in that election last year, this bill
8 wouldn't have come to fruition, would it have?

9 SEN. GAVARONE: The Chair to the Senator.
10 Actually, that's not true. I don't believe foreign
11 nationals should be participating at all in Ohio's
12 elections. And we need to really question why -- why
13 these foreign billionaires want to change our laws here
14 in Ohio.

15 So, I think it's -- it crosses both parties
16 across the political spectrum and if you look at
17 polling, Democrats and Republicans strongly agree that
18 we should not be allowing foreign nationals to
19 participate in our elections.

20 SEN. MCCOLLEY: Mr. Chairman, if I could
21 respond to that as well.

22 I -- I would say I'm not an expert on the

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1 federal law surrounding this. There's not a whole lot
2 we could do on a -- on a presidential election from a
3 campaign finance standpoint as a state legislature,
4 that would be something that would be subject to
5 federal law. However, as we did point out, it is
6 illegal under federal law for foreign nationals to
7 spend money in federal elections.

8 And so, without knowing the data that you're
9 relying upon, I can't really respond in detail to that.
10 But I would also agree with my co-sponsor here. You
11 know, there -- there's a strong probability that
12 without this foreign money that both of those ballot
13 initiatives would have still gone the way that they
14 did.

15 Maybe not by as much as they did because of,
16 you know, we're talking about \$13 million here over the
17 course of two campaigns, but there's a strong
18 probability that they would have gone the way that they
19 did as far as the end result is concerned.

20 But I think, as I stated before, we should all
21 be looking at this as a matter of trust and integrity
22 that our voters have in our election process know that

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11

1 this isn't something that is being unduly influenced by
2 people from either side of the aisle or either side of
3 the issue who aren't even citizens of this country.

4 SEN. RULLI: And do we have any further
5 questions?

6 Just out of curiosity, is the amount of money
7 that they're infilt- -- that they're inserting into the
8 Ohio election, like with the Swiss -- Swiss, is that
9 known how much or no?

10 [talking in background, inaudible]

11 SEN. MCCOLLEY: Give me a second, Mr.
12 Chairman. So, here -- here's some information we were
13 able to pull through just reviewing the Ohio Secretary
14 of State's website. And in particular we -- we talk
15 about the Sixteen Thirty Fund primarily because it is
16 the, I guess, most known -- the most known violator, if
17 you will, of -- of this type of practice.

18 And it's not us just saying it. It's the
19 Associated Press reported this and has reporter [sic]
20 it -- reported it on numerous occasions that this
21 Sixteen Thirty Fund is primarily funded or at least the
22 -- the largest donor -- known donor is a Swiss

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12

1 billionaire named Hansjorg Wyss.

2 But the Sixteen Thirty Fund has received as --
3 as Senator Gavarone mentioned, over \$220 million.
4 Actually I believe the number might be closer to \$240
5 million since 2016 from the Swiss billionaire Hansjorg
6 Wyss. Moreover, Sixteen Thirty Fund spent in the 2022
7 mid-term elections approximately \$196 million across
8 the country. In addition to that, it spent \$13,226,600
9 across all three Ohio 2023 campaigns.

10 This is something that is easily verifiable.
11 It's not us making any of this stuff up. One can do
12 their own research but this is an alarming trend over
13 the course of two elections to see that kind of money
14 thrown in by an organization with known and very strong
15 foreign ties into Ohio's issue elections, especially
16 when, as I mentioned before, the Elections Commission
17 believes that Ohio law already prohibits this.

18 SEN. RULLI: I'm going to move his follow up
19 after my follow up. Are there any states in the -- in
20 the union that have actually already moved before us
21 and have already done this type of legislation within
22 their State House?

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1 SEN. GAVARONE: We have witnesses here that
2 are going to be testifying later, I believe -- I know
3 there are several states who have proposed similar
4 legislation and their -- it will be follow-up testimony
5 that can verify the status.

6 SEN. RULLI: That's great. Okay. Then we're
7 going to move -- go ahead.

8 SEN. MCCOLLEY: Mr. Chairman, it's also worth
9 noting that there was legislation introduced at the
10 congressional level that I believe just passed
11 unanimously on a bipartisan basis out of the committee
12 in the United States House of Representatives to ban
13 this type of spending. So, again, this is a bipartisan
14 issue that everybody should stand firmly against.

15 SEN. RULLI: Appreciate that. The Chair
16 recognizes Senator DeMora.

17 SEN. DEMORA: Thank you, Mr. Chairman.

18 So, Senator McColley, you're an attorney. I'm
19 going to ask you this question. So, we all know that if
20 someone wants to get around this, I mean, I can set up
21 a -- I can set up a committee in another state, have
22 Sixteen Thirty donate money to that committee.

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14

1 Then that committee can -- I can set up
2 another committee in this state and have that committee
3 donate money to me, to this other committee in Ohio
4 when I'm not taking any foreign money because it's
5 coming through three different -- three different
6 things. I mean there's -- I mean that's how it's done.
7 I mean, let's be honest. I mean, everybody does it and
8 everybody is going to continue to do this.

9 So, this is kind of a -- I mean, I -- yes, I -
10 - I agree that foreign nationals shouldn't be pumping
11 money into elections in Ohio or anywhere else. But we
12 all know and -- and because this has actually been
13 perfected, not by my side because I -- I'm -- I mean on
14 my side behind the time and all this stuff, let's --
15 let's -- I've freely admit that, but by members on your
16 side of the aisle are the ones perfected how to move
17 this -- since the Vallejo [ph] decision -- not Vallejo,
18 the -- the -- whatever decision that corporations be
19 money and let all these things occur in the United
20 States politics.

21 Your side has been able to do this by setting
22 up all these things that are -- that are not affiliated

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15

1 but kind of affiliated and again there's always going
2 to be ways around this.

3 And, so, I'm just wondering if this is not a -
4 - if you said the other -- our Elections Commission
5 already says its banned, is this -- it's not a -- and -
6 - and by the way, the bills are coming from the same
7 source where most of these bills come from, it's an
8 national group that gives bills to all 50 states and
9 they're kind of cherry picked by which legislatures
10 want to do them and which legislators don't,
11 Republican-led legislatures do the cherry picked ones
12 that they want.

13 You know, a- -- again, we're behind the times
14 as -- as progressives and Democrats, that we don't have
15 a national group that does these legislations for us. I
16 mean, I give you credit for that as well.

17 So, aren't we just kind of playing to the bass
18 here again that this is something that, you know, is
19 not -- is this something, again, to kind of gin up the
20 bass. We all hate foreign money but again, if you ask
21 the average voter what their top 10 issues are, I
22 guarantee you money from foreign nationals effecting

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1 the elections aren't going to come in the top 30.

2 SEN. RULLI: Proceed.

3 SEN. MCCOLLEY: Thank you, Mr. Chairman.

4 I -- I would say regardless -- again,
5 regardless this -- this -- this is our original bill.
6 Okay. This isn't something that somebody gave us and
7 said verbatim put this into a bill. Okay. And again,
8 this isn't something that is politically motivated one
9 side or the other. It's something that we should be
10 looking at frankly as Ohioans and Americans not wanting
11 this type of practice to continue.

12 You know, but by your remarks it sounds like
13 you might have experience in setting these types of
14 things up, Senator DeMora. But --

15 SEN. DEMORA: I work weekends.

16 SEN. MCCOLLEY: -- but I -- I would say, you
17 know, regardless of what side any of this comes from,
18 we should all be opposed to it whether it's coming from
19 the right, coming from the left, Republicans or
20 Democrats, we should all be opposed to it because,
21 again, foreign nationals should not be influencing
22 issues campaigns or candidate elections in the state of

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17

1 Ohio.

2 Now, interestingly enough, you mentioned that
3 -- I will mention this, the people who view this stuff
4 and the people who monitor this stuff and the people
5 who are experts at this stuff, will tell you that the
6 web of dark money designed to conceal the -- the -- the
7 -- the --the source of -- of funding -- but look the --
8 I wouldn't say that we're the experts on it on the
9 right. I would say the people on the -- on the left are
10 the ones who have perfected this art. And I'll let that
11 information speak for itself.

12 But regardless, again, if they were a
13 Republican group doing this and spending money from
14 foreign nationals in Ohio candidates' races or issues
15 elections, I think we should all stand united against
16 that and I think that's what the voters would want us
17 to do.

18 SEN. RULLI: I'm just going to make a comment.
19 As the Chair, I would more than willingly offer my
20 office to invite all the senators here because I feel
21 that there's a little bit of curiosity to my left that
22 maybe we could get you as a yes vote on this.

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1 So, if you need to have a meeting about that
2 to maybe talk about maybe a little baby amendment or
3 something to get Senator DeMora, we -- we will talk
4 about that.

5 SEN. DEMORA: Mr. Chairman, the audi- -- the
6 audience already hates me for the next bill that I'm
7 supporting being bipartisan on it. I don't want to be
8 hated on both bills here at one time.

9 SEN. RULLI: I understand. I understand.

10 SEN. MCCOLLEY: See, Mr. Chairman, you know,
11 Senator DeMora, you're -- you're not -- you're not --
12 you're immune to -- to stepping outside of a political
13 aim to do the right thing. So, we'll -- we'll work with
14 you on this. But I would say that we're open to
15 amendments on this.

16 Ultimately, to your point, Senator DeMora, it
17 does need to be something that works and the penalties
18 need to be a big enough deterrent that the
19 sophisticated actors in this arena understand that it
20 is going to be a hefty price to pay in the event that
21 they go awry or -- or go aside of this law.

22 We are working on some concepts now that we're

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19

1 not necessarily ready to reveal that would make it much
2 clearer how this needs to be complied with, much
3 clearer how somebody would go awry of the statute. But
4 nevertheless, it needs to work because, you're right,
5 there are sophisticated actors all over the place in
6 this -- in this realm that are going to be designed and
7 -- and intent on going around whatever we put in place.

8 SEN. RULLI: Thank you both for your
9 testimony.

10 SEN. MCCOLLEY: Thank you.

11 SEN. RULLI: We're going to proceed with the
12 first hearing but we're going to move into second phase
13 of the first hearing. We're going to now move into
14 proponent testimony. So, the Committee would like to
15 welcome to the podium Jason Snead for proponent
16 testimony.

17 Welcome to Committee.

18 MR. SNEAD: Thank you Mr. Chairman and members
19 of the Committee. I appreciate the opportunity to be
20 here and to return to my home state of Ohio to testify
21 today on Senate Bill 215 to prohibit both direct and
22 indirect foreign contributions to ballot measure

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1 campaigns in the state.

2 My name is Jason Snead, I am the executive
3 director of the Honest Elections Project, a non-profit
4 devoted to the principle that every American has the
5 right to vote in free, fair and secure elections.

6 Americans do not want foreign nationals
7 influencing their elections and each of us has the
8 right to know that the foundation of our democracy is
9 protected against foreign interference. But while the
10 media has spent considerable time focusing on threats
11 abroad from Russia and China, comparatively little
12 attention has been paid to the torrent of foreign money
13 flowing into American politics from foreign nationals
14 like billionaire activist Hansjorg Wyss.

15 Mr. Wyss is one of the largest political
16 donors in the United States but he is not an American
17 citizen. Last week, Politico reported that, quote,
18 "Wyss doled out more than \$63 million in grants to left
19 leaning groups in fiscal 2022," end quote.

20 As you will soon hear in greater detail from
21 Caitlin Sutherland of Americans for Public Trust, Mr.
22 Wyss has pumped nearly half a billion dollars of

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1 foreign money into political causes throughout this
2 country. 243 million of that sum has landed in the
3 coffers of a political spending powerhouse, the Sixteen
4 Thirty Fund.

5 Ohioans are acutely aware of Sixteen Thirty
6 Funds' impact even if they do not know it. Last year
7 alone Sixteen Thirty spent more than \$14 million on
8 ballot measure campaigns in this state. Sixteen Thirty
9 Fund is already one of the largest donors to a fourth
10 coming ballot measure to fundamentally change the
11 redistricting process.

12 And as we speak, Mr. Wyss' personal attorney,
13 Mark Alias [ph] is suing in the Ohio Supreme Court to
14 advance a second ballot measure intended to rewrite
15 this state's election laws and even to reopen the door
16 to non-citizen voting.

17 These proposed ballot measures aim to affect
18 the make-up of elected legislatures and rewrite the
19 rules that govern elections in Ohio.

20 These are foundational issues to our republic,
21 yet there is no law in place to ensure that foreign
22 nationals are not influencing these highly

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1 consequential campaigns. So long as that is true,
2 Ohioans can expect foreign funding to continue
3 influencing elections in this state.

4 Indeed, Sixteen Thirty has an established
5 history of spending massive sums to advance measures
6 precisely like those facing Ohio this year.

7 In 2022 Sixteen Thirty spent over \$10 million
8 to advance Michigan Proposal 2, a measure strikingly
9 similar to the so-called Ohio voters' bill of rights
10 currently in litigation and they spent \$6 million on a
11 2018 Michigan measure to reshape the redistricting
12 process. Again, in a manner very similar to the
13 redistricting measure facing this state. And that is
14 just the spending in one state.

15 This is why this issue is so much more than a
16 fight over last year's election or the outcome of any
17 single ballot measure issue. Changing Ohio's
18 constitution has become a top goal of national special
19 interests and it is concerning that one of the largest
20 drivers of this effort is also a top recipient of
21 foreign money.

22 Federal and state laws have prohibited foreign

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1 nationals from donating to candidate races for federal,
2 state and local office for decades. It is long past
3 time to bring similar safeguards against foreign
4 influence to ballot measure contests here in Ohio.
5 Numerous other states have taken similar steps
6 including Colorado, Maryland, Nevada, Washington, and
7 more. Last year, more than 86 percent of voters in
8 Maine adopted an initiative to prohibit foreign
9 spending on ballot measures.

10 Here in Ohio a poll conducted by our sister
11 organization HEP Action found that 85 percent of
12 registered voters think foreign nationals should not be
13 allowed to influence elections. 68 percent would back a
14 law to block indirect influence of elections in Ohio.

15 And let us not forget that in 2022 some 77
16 percent of Ohioans voted to ban non-citizen voting in
17 this state. Clearly, there is a broad public consensus
18 that non-citizens should not be influencing elections.

19 SB 215 would make get strides towards
20 safeguarding the integrity of Ohio's elections against
21 foreign influence without in any way inhibiting the
22 ability of American citizens to donate to the

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1 candidates and causes they support.

2 Nor does this bill infringe on important
3 protections for the privacy of American donors who
4 chose to contribute to causes that they support.

5 Drawing this distinction between citizens and non-
6 citizens is imminently reasonable. After all, we do not
7 allow non-citizens to vote and we have long banned non-
8 citizens from donating to political candidates.

9 Ballot measure process deserves the same
10 protections. This should not be a partisan issue. Every
11 Ohio voter should know that each election is free of
12 foreign interference and I applaud the members of this
13 Senate for considering legislation and leading the way
14 towards that important conclusion.

15 I think you for the opportunity and will
16 happily take any questions.

17 SEN. RULLI: We really appreciate your
18 testimony today.

19 Are there any questions from the Committee?

20 SEN. MCCOLLEY: Mr. Chairman.

21 SEN. RULLI: Senator McColley.

22 SEN. MCCOLLEY: Thank you, Mr. Chairman. Thank

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1 you, Mr. Snead.

2 As you look across the country, are you seeing
3 a -- you kind of alluded to it in -- in your testimony
4 but you -- you mentioned Ohio and a few other states.
5 Are you seeing a number of other states that do have
6 open ballot initiatives for -- for constitutional
7 amendments or statutory initiatives where this type of
8 massive influx of seemingly endless money is -- is
9 coming in overnight to -- to fund these campaigns?

10 MR. SNEAD: Yes. Mr. Chairman, to the Senator,
11 absolutely.

12 Sixteen Thirty Fund is one of the largest
13 donors to ballot measures in the United States and
14 indeed almost any state that has a ballot measure has
15 seen Sixteen Thirty contribute to it. The sums are not
16 inconsiderable by any stretch. You heard me give the
17 facts in Michigan. \$10 million went to Proposal 2 in
18 2022, one cycle ago. In 2018 \$6 million went into their
19 redistricting measure and that was only one of several
20 states.

21 In fact, I believe there were four states in
22 total that Sixteen Thirty contributed to just on the

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1 redistricting issue. Sixteen Thirty has shown that they
2 are willing and able to spend tens of millions of
3 dollars to advance ballot measures in states across the
4 country.

5 And as I said, they are one of the largest
6 single donors. And you got -- you all are facing a
7 redistricting measure potentially this year. They're
8 already one of the largest donors to that measure as
9 well.

10 SEN. RULLI: Thank you.

11 Senator DeMora.

12 SEN. DEMORA: Thank you, Mr. Chairman.

13 Mr. Snead, who funds your group?

14 MR. SNEAD: My group is funded by a number of
15 Americans who believe in honest elections and as many
16 organizations we protect their privacy. That's a policy
17 which many groups on both the left and the right
18 endorse.

19 SEN. DEMORA: Mr. Chairman.

20 SEN. RULLI: Follow up.

21 SEN. DEMORA: So, you're not willing to give
22 us your list of -- of donors, huh?

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1 MR. SNEAD: Well, Mr. Chairman, Senator
2 DeMora, as I said, we respect the privacy of our
3 donors. I can tell you that every single one of them is
4 an American citizen, which is more than I think can be
5 said for Sixteen Thirty Fund and Hansjorg Wyss. I
6 believe that every one should have the opportunity to
7 know that foreign citizens are not in any way
8 influencing the election process and that's really what
9 I'm here to talk about today.

10 SEN. DEMORA: One more.

11 SEN. RULLI: Proceed.

12 SEN. DEMORA: So -- thank you Mr. Chairman.
13 So your group doesn't believe in mail-in voting but you
14 want to have a free, fair and secure election. Is that
15 -- is that -- is that the case?

16 MR. SNEAD: Mr. Chairman, Senator, no, that is
17 not the case. In fact, my position, which you can find
18 on a 14 point report on the Honest Elections' website,
19 details that it is important to secure mail ballots
20 with things like voter identification, a law which was
21 just passed and upheld in a court here in Ohio. It's
22 important that we protect those ballots. They are

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1 vulnerable to fraud, to mistakes, vote harvesting and
2 trafficking operations and so forth. But I have never
3 in any way, shape or form condemned mail voting.

4 SEN. DEMORA: [inaudible].

5 SEN. RULLI: No more questions. Thank you so
6 much for your testimony.

7 MR. SNEAD: Thank you, Mr. Chairman.

8 SEN. RULLI: The Committee will now call
9 Catherine Gunsalus to the podium for testimony.

10 Welcome to Committee, Catherine.

11 MS. GUNSALUS: Mr. Chairman, members of the
12 Committee, thank you. Thank you for the opportunity to
13 testify in support of Senate Bill 215.

14 My name is Catherine Gunsalus, I am the
15 director of state advocacy for the Her- -- for Heritage
16 Action for America. We are a national grassroots
17 organization with two million conservative activists
18 across the country including thousands of Ohioans.
19 We're also the political or lobbying branch of the
20 Heritage Foundation.

21 Heritage Action supports Senate Bill 215. We
22 thank Senator Gavarone and Senator McColley for

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1 introducing this legislation, ensuring Ohio's elections
2 are free from the corrupting influence of foreign
3 funding. Free and fair elections are the bedrock of our
4 republic and every Ohioan should have the confidence
5 and security and the integrity of our election system.

6 In George Washington's 1796 farewell address
7 he cautioned that, quote, foreign influence is one of
8 the most painful foes of Republican government, end
9 quote. With growing geopolitical threats like the
10 influence of the Chinese communist party, Ohio is wise
11 to ensure the integrity of its elections and guard
12 against the influence of foreign actors that could seek
13 to under mind Ohio's elec- - -- interests.

14 There's several meet -- reasons that have
15 already been mentioned of why Senate Bill 215 is
16 important. I'll review just three of those and -- and
17 for -- for the Committee.

18 Number one, prohibiting foreign nationals from
19 contributing to ballot issue campaigns ensures Ohioans'
20 voices are not diluted and the decisions about Ohio's
21 constitution and laws are based on the voices of its
22 citizens, not foreign billionaires.

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1 Heritage Action lobbies alongside of and on
2 behalf of grassroots across the country including here
3 in Ohio and protecting Ohio's elections from outside
4 influence is top of mind, for -- for the grassroots.
5 And they're keenly aware of the fact that the integrity
6 of our government and protecting liberty hinge upon the
7 ability to conduct transparent, accurate and fair
8 elections. Grassroots are -- are tr- -- determined to
9 ensure that their voice is heard and they can have the
10 confidence in the electoral process.

11 Second, as already mentioned as well by the
12 Senator, for years state of Ohio has banned foreign
13 national contributions to political candidates running
14 for office. Senate Bill 215 ensures consistency and
15 fairness in Ohio's electoral process by also banning
16 foreign national contributions for ballot issues. As
17 also mentioned, US federal government rightly limits
18 the participation of foreign individuals, entities,
19 governments in national political campaigns.

20 Thirdly and lastly, I'll note that the foreign
21 meddling in the US political landscape's not a
22 hypothetical problem. States are -- are -- like Ohio

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1 are right to address it. Also I would note that O- --
2 Ohio's not alone in its endeavor to push back. It was
3 mentioned -- previously the question was raised are
4 there other states that have already taken action.
5 There are about eight states that have already banned
6 foreign influence in ballot issues. Those states
7 include California, Colorado, Maine, Maryland, North
8 Dakota, South Dakota, Washington and Nevada.

9 This year alone other states like Oklahoma and
10 Arizona have presented similar legislation as well to
11 take initiative to protect their state elections from
12 foreign funding, have introduced that legislation in
13 their legislature.

14 In closing, Ohio has already made great
15 strides into strengthening and securing your elections.
16 And you have the opportunity here to continue leading
17 by passing Senate Bill 215. We urge your support and
18 thank you so much, Mr. Chairman.

19 SEN. RULLI: We really appreciate your time
20 for your testimony today.

21 Does the Committee have questions?

22 Senator DeMora.

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1 SEN. DEMORA: Thank you, Mr. Chairman.

2 I'll ask you the same question I asked the
3 previous witness. Who funds your group?

4 MS. GUNSAULUS: Well, Mr. Chairman --

5 SEN. RULLI: Proceed.

6 MS. GUNSAULUS: -- to -- to the Senator, I -- I
7 -- I don't know quite the answer to your -- your
8 question. I -- so --

9 SEN. DEMORA: Well -- and you sh- -- and your
10 first thing's prohibiting foreign nationals from
11 contributing so that campaign ensures Ohio's voice is
12 not diluted. I can tell you your top two funders are
13 the Koch brothers and Philip Morris. Now, last time I
14 checked the Koch brothers and Philip Morris aren't
15 headquartered in Ohio, are they?

16 MS. GUNSAULUS: Mr. --

17 SEN. RULLI: Proceed.

18 MS. GUNSAULUS: -- Mr. Chairman to the Senator.

19 I think the reason for -- for -- why I'm here
20 today is simply to ensure that foreign funding are not
21 -- is not influencing Ohio's ballot measures
22 specifically. So, I'd be happy to follow up with you on

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1 your specific question related to -- to Heritage
2 donors.

3 SEN. DEMORA: Oh, I'd love that. Thank you.

4 Mr. -- thank you Mr. Chairman.

5 SEN. RULLI: Chair recognizes Senator Rob
6 McColley.

7 SEN. MCCOLLEY: Thank you, Mr. Chairman.

8 And this -- this is a question that could have
9 easily been asked of Mr. Snead as well in response to
10 the line of questioning from Mr. DeMora.

11 What we're talking about here are expenditures
12 in elections, not expenditures that are being made in a
13 process of issue advocacy like what you guys are doing
14 here today. There are no shortage of 501(c)(3)s and
15 501(c)(4)s that are involved daily at the State House
16 on all sides of the issue who are non-profit
17 organizations who are set up here for philanthropic
18 causes in many cases that there's never been any
19 question as to who their donors are or why we should
20 know them.

21 What we're talking about here is
22 electioneering during the times of elections. And so, I

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1 guess any response to that would be appreciated. Thank
2 you.

3 MS. GUNSAULUS: Mr. Chairman to the Senator.
4 Thank you.

5 Yes, absolutely, and -- and I think this is
6 some -- this is an issue that Ohioans feel very
7 passionate about, a grassroots here feel very
8 passionate about ensuring that that foreign influence
9 in electioneering to your point, Senator, is not
10 occurring and so I would just note that, reaffirm that.

11 SEN. RULLI: Appreciate your testimony and I
12 think for the record the Koch brothers and Philip
13 Morris are United States companies. Thank you so much.

14 MS. GUNSAULUS: Thank you.

15 SEN. RULLI: The Committee will now call
16 Caitlin Sutherland to the podium for testimony.

17 Welcome to Committee, Caitlin.

18 MS. SUTHERLAND: Chairman Rulli, Ranking
19 Member DeMora and members of the Committee. Thank you
20 for the invitation and opportunity to testify in
21 support of Senate Bill 215 which prohibits foreign
22 nationals from contributing to state ballot issues.

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1 My name is Caitlin Sutherland and I am the
2 executive director of Americans for Public Trust, a
3 non-profit, non-partisan organization dedicated to
4 restoring trust in government by holding politicians
5 and political groups accountable.

6 Since our founding in 2020, APT has devoted
7 extensive resources to uncovering, mapping and
8 publicizing outside money influence in politics and
9 policy. Americans should have every confidence that
10 their elections are free from foreign interference and
11 influence. But unfortunately, as you've heard, a
12 significant source of foreign cash is flowing into
13 politics from a Swiss billionaire named Hansjorg Wyss.

14 Multiple press outlets including the
15 Associated Press, Bloomberg and Real Clear Politics
16 have confirmed Mr. Wyss is a foreign national. But
17 don't just take their word for it. Listen to what Mr.
18 Wyss has said about the matter. In 2011 Mr. Wyss told a
19 Swiss newspaper that he, quote, never felt the need to
20 become an American.

21 He claimed he found the process, quote, too
22 complicated and instead preferred to call himself,

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1 quote, a spiritual dual citizen. Despite Mr. Wyss'
2 disinterest in becoming an American citizen, he made it
3 a personal goal to influence American politics.

4 According to a biography written by his own sister, Mr.
5 Wyss' personal goal is to, quote, reinterpret the
6 American constitution in light of progressive politics.

7 So, how is Mr. Wyss, who is not a US citizen
8 and therefore prohibited from directly or indirectly
9 influencing our elections doing just that? Well, first
10 in the '90s and early [inaudible], he seemingly illegal
11 gave more than \$100,000 directly to candidates and
12 political committees. But Mr. Wyss's direct giving
13 pales to comparison to his current and preferred method
14 of influencing our politics, his non-profit.

15 Mr. Wyss uses his two non-profits, the Wyss
16 Foundation, a 501(c)(3) and the Berger Action Fund
17 formerly called the Wyss Action Fund, a 501(c)(4), to
18 fund liberal groups across the nation. He has used
19 these two non-profit vehicles to pump almost half a
20 billion dollars into the US political system. In his
21 biography Mr. Wyss's sister explicitly detailed his
22 ability to, quote, exert an influence on American

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1 domestic politics through his foundations.

2 If this sounds like a staggering amount of
3 money from a reclusive billionaire and organizations
4 you might never have heard of, that's because it's all
5 by design. Again, while speaking to foreign media, Mr.
6 Wyss admitted that he was fighting laws in Arizona
7 that, quote, give police too many rights, working to
8 nominate progressive federal judges and funding
9 abortion clinics. But the catch, he also bragged that
10 his, quote, name never appears linked to his efforts.

11 But how exactly by his own words does he exert
12 an influence? According to the New York Times, Mr.
13 Wyss's, quote, political activism is channeled through
14 a daisy chain of opaque organizations that mask the
15 ultimate recipients of the money. The most opaque of
16 those organizations is a little known group called the
17 Sixteen Thirty Fund.

18 According to the Associated Press, the Sixteen
19 Thirty Fund has, quote, received 208 million from Wyss
20 since 2016. Bloomberg has also confirmed, quote, Wyss
21 has disclosed giving over 208 million to Sixty Thirty
22 Fund, a clearinghouse for the left. Less than one week

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1 ago Politico reported on another cash infusion of \$35
2 million from Mr. Wyss bringing the total from him into
3 Sixteen Thirty Fund to a whopping \$243 million.

4 How does this pact -- impact Ohio? In less
5 than a year that little known but well-funded Sixteen
6 Thirty Fund has funneled over 14 million into three
7 Ohio ballot measures. One person one vote, Ohioans
8 United For Re- -- Reproductive Rights and Citizens Not
9 Politicians. That's right, the same group that has
10 received almost 250 million from a foreign national has
11 turned around and spent over 14 million right here in
12 Ohio. And there's more spending to come.

13 Citizens Not Politicians, an ironic name given
14 the ties to foreign funds, is currently collecting
15 signatures in Ohio. Given their deep pockets, we can
16 expect even more backing to come from Sixteen Thirty
17 Fund. This pipeline of foreign cash into Ohio politics
18 should be stopped. Foreign nationals are already banned
19 from donating to candidates directly so why should
20 ballot issues be any different.

21 The proposed legislation would prohibit
22 foreign nationals from injecting money into Ohio ballot

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1 issues both directly and indirectly, which includes
2 funneling money through US base non-profit
3 organizations. I urge you to support Senate Bill 215 to
4 help foreign nationals from influencing important
5 policy here in Ohio.

6 Thank you.

7 SEN. RULLI: Really appreciate your testimony
8 today. It means that we're robust [??].

9 Are there any questions from the Committee?

10 Senator DeMora.

11 SEN. DEMORA: Thank you, Mr. Chairman.

12 So, you are a non-profit, non-partisan
13 organization in quotes. Tell me what -- what Democrat
14 works for you or what demo- -- what Republican group
15 have you ever gone after because everything I read
16 about you and go after Democratic groups and -- and
17 left leaning groups? So how is that non-partisan?

18 MS. SUTHERLAND: We are an independent
19 501(c) (3) based in Alexandria, Virginia that has filed
20 complaints and raised issues on both the right and the
21 left. I'd be happy to share with you the ethics
22 complaints that we have filed against Republicans

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1 including former Congressman Madison Cawthorn and
2 former Congressman Steven Watkins and former
3 Congressman Van Taylor.

4 SEN. DEMORA: Okay. Thank you, Mr. Chair. I --
5 I have a follow up.

6 SEN. RULLI: Follow up.

7 SEN. DEMORA: Okay. Are you still being
8 investigated by the IRS for illegally doing political
9 spending from a 501(c)(3)?

10 MS. SUTHERLAND: We are not being investigated
11 for illegally politically spending.

12 SEN. DEMORA: Oh, then I guess all the news
13 media I've read is in- -- is -- is not true, huh?

14 MS. SUTHERLAND: Anyone can file a complaint
15 against anyone. However, that does not mean that it has
16 merit. Individuals can file ethics complaints, FEC
17 complaints against organization [sic]. What's important
18 here is whether they have merit and whether or not
19 they're well sourced and well cited, like the
20 information I have brought to you today based on 10
21 years of tax returns showing a foreign national's money
22 has poured into a group supporting Ohio issues.

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1 SEN. DEMORA: Thank you, Mr. Chairman. I'm
2 done with her.

3 SEN. RULLI: Thank you for that answer. Chair
4 will now recognize Senator Rob McColley.

5 SEN. MCCOLLEY: Thank you, Chairman.

6 Can you go through the depth and breath of
7 your research and how you -- how you are able to come
8 to -- into this information and how -- how difficult it
9 is in some cases to chase it down and really the
10 exhaustive efforts that you've put into coming up with
11 the data that you have?

12 MS. SUTHERLAND: Yeah. Thank you Chair, to the
13 Senator.

14 It is all based on publicly available tax
15 returns from his two non-profit entities. And so when
16 you take a look at the money going out from those non-
17 profits into a variety of causes like the Sixteen
18 Thirty Fund, you can just add up the dollar amount that
19 he had spent.

20 And it's not just exclusive to Sixteen Thirty
21 Fund, the money pouring from this foreign national's
22 two non-profits by his own words designed to exert and

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1 influence that it's all on these tax returns for anyone
2 to see and I'd be happy to share that with the
3 Committee after this hearing.

4 SEN. RULLI: Thank you so much for your
5 testimony.

6 SEN. MCCOLLEY: Well --

7 SEN. RULLI: Oh, I'm so sorry. Rebuttal from
8 Mr. -- Senator McColley.

9 SEN. MCCOLLEY: Thank -- thank you Chairman
10 Rulli.

11 Can you -- you talk a little bit about the --
12 the daisy chain of organizations when you quoted the
13 New Times article detailing what's going on here. Can
14 you detail that a little bit, the -- the lengths to
15 which sometimes these organizations go to, in some
16 cases, conceal the funds of -- from their ultimate
17 source?

18 SEN. RULLI: Proceed.

19 MS. SUTHERLAND: Thank you, Chair to the
20 Senator.

21 Yes. As I mentioned, that he has openly
22 bragged that his name never appears. And, so, that is

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1 his ultimate goal is to how to influence American
2 politics without being an American citizen. If it
3 sounds confusing, it's because it's by design. He wants
4 to be one step removed from his influence because he
5 knows it's illegal. He knows that it's illegal to
6 donate directly to candidates, which he has since
7 stopped doing.

8 What we've seen here is a shift to indirectly
9 influencing our elections, which, again, is still
10 illegal, which is why it is so important to take the
11 step to make sure that you ban both direct and indirect
12 funds of foreign money into ballot initiatives.

13 SEN. MCCOLLEY: Mr. Chairman.

14 SEN. RULLI: Follow up.

15 SEN. MCCOLLEY: Yep.

16 Can you talk a little bit about the -- the
17 response that typically gets made when some of these
18 complaints get filed against these organizations about
19 how, oh, trust us, we -- we -- we have bifurcated the
20 money? We have somehow separated it, although it's all
21 in the same organization, we've been able to -- to --
22 to somehow make sure that no -- no dollars that came in

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1 through this transaction have ever been spent on this
2 other stuff. Can you talk about the fungible nature of
3 money and how -- how that quite frankly is a little bit
4 of a -- a work around in some ways?

5 MS. SUTHERLAND: Yeah. Thank you, Chair to the
6 Senator.

7 That's exactly right. They have never actually
8 shown proof that they have any separate bank accounts,
9 any separate funds. They have been pressed by the
10 Federal Election Commission in response to an FEC
11 complaint filed by my organization, APT, and they've
12 also been pressed by credible news outlets, like the
13 Associated Press and Bloomberg.

14 But time and time again, they have refused to
15 prove what you are discussing, is segregated funds. We
16 continuously hear a, no, trust us. However, when you do
17 the math it gets -- it's almost laughable when you have
18 the same organization receiving, as I said, almost a
19 quarter of a billion dollars from a foreign national
20 turning around and spending on issues here in Ohio.
21 There the problem is very easy to see.

22 SEN. RULLI: Thank you so much.

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1 The Chair will now recognize Senator Gavarone.

2 SEN. GAVARONE: Thank you very much for your
3 testimony. Senator DeMora earlier questioned this
4 complicated web of -- of financial transactions. Can
5 you explain the financial shell game that's going on
6 and how that is intended to hide money from foreign
7 nationals?

8 MS. SUTHERLAND: Yeah. Thank you, Chair to the
9 Senator.

10 Yes. You know, he does not -- Mr. Wyss and his
11 giving he does not want to be made public. He purposely
12 does not speak to the American people. He -- or the
13 American press. We have only determined that he is a US
14 citizen by examining Swiss newspapers. He has referred
15 with the New York Times did the first exposé on his
16 daisy chain of organizations.

17 He even refused to tell the New York Times
18 whether or not he was a US citizen. That is because he
19 wants to remain reclusive. And yes, the shell game of
20 setting up these 501(c) (3)s and 501(c) (4)s for the sole
21 purpose of funneling money into another 501(c) (4) which
22 then turns around and spends in Ohio, Kansas, Virginia,

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1 Florida, Texas, on and on which we will be seeing in
2 2024 is a problem.

3 However, when you take a look at just last
4 Friday the 2022 tax form was just released showing
5 another \$60 million was poured into our elections. And
6 the year before that, \$72 million. When you total it
7 all up it's around half a billion dollars from this one
8 individual in to American politics. That's a staggering
9 amount of money and it must be stopped.

10 SEN. RULLI: Follow up Senator Gavarone.

11 SEN. GAVARONE: I just wanted to clarify one
12 point you made. You mentioned that Hansjorg Wyss is a
13 citizen.

14 MS. SUTHERLAND: Oh, is not. Sorry, Mr. Chair,
15 to the Senator.

16 Is not a citizen. He refused to clarify when
17 the New York Times asked if he was a citizen and then
18 he declined to even tell the New York Times if he was a
19 citizen. He is a confirmed foreign national, even by
20 his own words.

21 SEN. RULLI: Seeing so- -- no more questions,
22 we thank you so much for your testimony.

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1 This will constitute the first hearing of
2 Senate Bill 2- -- 215.
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1 CERTIFICATE OF TRANSCRIBER

2 I, Chris Naaden, a transcriber, hereby declare
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4 from the audio recordings and supporting information;
5 and that I am neither counsel for, related to, nor
6 employed by any of the parties to this case and have no
7 interest, financial or otherwise, in its outcome, the
8 above 47 pages contain a full, true and correct
9 transcription of the tape-recording that I received
10 regarding the event listed on the caption on page 1.

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12 I further declare that I have no interest in
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16 June 6, 2024

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Exhibit H



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9 MAY 8, 2024

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22 Transcribed by: Christian Naaden

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2

1 P R O C E E D I N G S

2 SEN. HUFFMAN: -- the motion is agreed to.

3 Bills for third consideration.

4 CLERK: Substitute House Bill Number 114,
5 Representative Humphrey, Sykes, and others, to amend
6 section of the revised code to modify the campaign
7 finance law and to delay the deadline for the major
8 political party [inaudible] presidential advice,
9 president of candidates for the security of state for
10 the 2024 general election.

11 SEN. HUFFMAN: So the question is shall the
12 bill pass? The chair recognizes Senator McColley.

13 SEN. MCCOLLEY: Thank you, Mr. President. Um,
14 I stand in favor of House Bill 2 -- 114. Let's go
15 through, I suppose the -- the underlying bill that came
16 over and then some amendments that were made in
17 committee.

18 The original bill dealt with the allowance of
19 using campaign funds to pay for certain childcare
20 expenses that are incidental to the performance of
21 one's duty in their elected office.

22 So it would allow them to use those funds for

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3

1 any carrying out of their official duties and would, it
2 incidentally would create an opportunity for parents of
3 young children or single parents to be able to have
4 more ability to run for office.

5 And also, the amendment we adapted earlier
6 today tighten the language to ensure these funds are
7 used appropriately and not for extravagant expenditures
8 including ensuring the cost must be reasonable, that
9 also that the care is rendered in state and that the
10 child actually needs care based on the age, and that
11 the expenditure are made only by the primary caregiver.

12 There was two other amendments that were
13 selected. And both of these amendments that we added
14 earlier today have to do with very important issues
15 that we need to take care of in the very short term
16 because they're going to impact the upcoming election.

17 One of course, is the amendment that would
18 need to be made or the change in law, temporary law
19 that would need to be made in light of the Democrat
20 National Committee deciding that they were going to
21 have their convention after the filing deadline in the
22 State of Ohio.

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1 I can speak for myself, as much as I already
2 know who I am going to vote for, and it will not be the
3 nominee coming out of that convention. Nevertheless, I
4 think Ohio ones deserve to have a choice when they go
5 to the ballot, and states should not be using lawfare
6 or otherwise to try and take their political enemies
7 off the ballot.

8 And so, that's one thing that we believe I
9 guess should be fixed on a temporary basis. We
10 shouldn't be making a permanent law change in this
11 circumstance because there are a lot of potential
12 consequences that have to do with the calendar leading
13 up to an election that Secretary LaRose has been pretty
14 consistent about in dealing with many of these tight
15 timeframes as it comes to conducting election.

16 So, this would allow for in essence the date
17 that would have been the -- the candidate would have
18 been, needed to have been certified by, would have been
19 August 7th. We're changing that to August 23rd, which
20 is 74 days before the election.

21 So this should allow for the Democratic
22 National Committee to provide the nominee so Ohioans

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5

1 can have that choice on the ballot when they go to
2 vote.

3 We also dealt with another issue that as I
4 mentioned before, is a clear and present threat to the
5 upcoming election.

6 We have a clear and present threat to the
7 upcoming election in the form foreign election
8 interference that is going on right now in the State of
9 Ohio, right underneath our very noses.

10 We know and we've talked about this before,
11 Senate Vote 215, we already voted it out, but we're
12 adding provisions that are similar to that into this
13 bill because we know for a fact that organizations
14 linked to foreign nationals contributed almost \$14
15 million in the State of Ohio in the last year alone as
16 it related to the elections that occurred in August and
17 November.

18 We know there is already an elections
19 commission opinion that was issued in 2021 that said
20 this was prohibited. They did it anyway. And so, we
21 know that those same entities are also involved in this
22 upcoming election, thereby, having foreign national

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6

1 interference into our elections.

2 We should be on a bipartisan basis against
3 this. Both sides over the course of the very short
4 recent history, have also bemoaned the fact that there
5 is foreign interference in our elections. We should be
6 on a bipartisan basis against this.

7 So what would the bill do and how is it
8 different than Senate Bill 215 that we already passed
9 out of this chamber?

10 So Senate Bill 215 as we passed it out, we
11 sought to increase semi-accountability measures that
12 would be in the bill through some donor disclosure
13 requirements that would have been in that bill.

14 We found out later from talking with some --
15 some experts on campaign finance law and first
16 amendment law, who said you're likely to go awry of
17 some supreme court precedence, United States Court
18 precedence, as it could -- as it pertains to people
19 being able to give to these types of campaigns and the
20 disclosure requirement.

21 So after talking with them we've come up with
22 some changes that I'll summarize. So it would prohibit

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1 foreign nationals from making these types of
2 contributions directly or indirectly.

3 And it goes into a greater definition of what
4 directly or indirectly would be as well. But we also
5 added a mental copiability provision to this knowingly
6 because one could easily see how one might unknowingly
7 unwittingly to themselves, almost one might argue,
8 accidentally take money from a foreign national even if
9 it was a small amount and accidentally trigger the
10 statute.

11 Those aren't the types of people we're after.
12 The types of people we're after are those who actually
13 actively conspire and set up a method by which to
14 accomplish these goals.

15 And quite frankly, the dollar amounts that are
16 really the biggest danger right now where the foreign
17 election and their appearance is coming from, are so
18 significant that anybody would know where this money
19 was coming from. So let's be clear about that.

20 We also would require political entities to
21 certify on their campaign filings that they have not
22 and will not knowingly accept prohibited con- --

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8

1 contributions under the language, under the penalty of
2 election falsification.

3 Again, adding the knowingly portion for the
4 mens rea a part of that. Clarifies that the term
5 independent expenditure includes expenditures
6 advocating for the support or opposition to a ballot
7 issue or the circulation of the ballot issue petitions.
8 Specifies that committees in charge of a ballot issue
9 must register as a pack.

10 Now, you may think oh, packs are these big
11 daunting organizations. Under the state statute they are
12 much simpler organizations. It's in essence you
13 registering on a very simple registration form with the
14 secretary of state that you are receiving money for
15 against an issue. And then you would have to certify
16 that you're not going to take the inappropriate and
17 prohibited contributions under the language.

18 And you would have to take that register if
19 you were going to make expenditures or against a ballot
20 initiative. We require a person who violates foreign
21 national contribution prohibition do not only return
22 the contribution but pay the maximum fine for doing so.

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9

1 And so, what we have seen over the past -- in
2 the past regarding some of these provisions is that the
3 Ohio Elections Commission, even though they may make a
4 finding that this was violated, oftentimes are giving a
5 slap on the wrist to the violators.

6 When we're talking about the kind of money
7 that's coming in, a slap on the wrist is the cost of
8 doing business to many of these people, and they're
9 going to continue to do it if we don't have some real
10 accountability.

11 And it also would move jurisdiction for
12 prosecution for these types of cases to either the
13 county in which the violation occurred, because let's
14 be honest, these violations could occur all over the
15 state or the attorney general.

16 Current prosecution authority is solely with
17 the Franklin County prosecutor. Now, you have to ask
18 yourself if a violation occurred up in Lucas County,
19 why would the Franklin County prosecutor with their
20 bandwidth and -- and with the -- with many of the --
21 the restraints that they have on their own office and
22 resources, why would they be all that thrilled about

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10

1 prosecuting a case all the way up in northwest Ohio.

2 The chances are they would not.

3 And so, this allows for the prosecution to
4 occur locally where it occurred or in the case as well
5 of a foreign national who oftentimes isn't going to
6 have the same ties to the State of Ohio as a
7 traditional criminal defendant would. It allows for the
8 state itself through the attorney general's office to
9 throw its full resources behind bringing these people
10 to accountability.

11 So those are -- those are the changes that
12 have been made. It's a better bill now than what it was
13 when we passed it out.

14 And it's something that I think again on a
15 bipartisan basis, we should all be able to come
16 together and at the very least acknowledge that we
17 don't want foreign election interference, we don't want
18 tens of millions of dollars coming into the state
19 trying to impact our elections going forward,
20 regardless of what side of the aisle you are on.

21 And quite frankly, as I said before, would
22 that \$14 million have made a difference in the

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11

1 elections this past August and November?

2 Probably not, but that doesn't make it any
3 more right, and so that's why we need to make the picks
4 [ph]. Thank you, Mr. President. I urge the passage.

5 SEN. HUFFMAN: Thank you, Senator. The chair
6 recognizes Senator Demora.

7 SEN. DEMORA: Thank you, Mr. President. First
8 time I even had a group of kids up here today too so
9 I'm sorry about that.

10 If all things are fair, this would have been
11 an easy yes vote, because if all things were fair, this
12 would have been a clean bill with a simple amendment
13 that would have made sure that President Biden got on
14 the ballot.

15 Unfortunately, it is so common with pieces of
16 this legislation coming from this building. This
17 legislation is not fair, it's not bipartisan, it's not
18 how policy should be made. Because of the no-brainer
19 yes vote that was passed out of the house, which would
20 have put this in line with federal regulations between
21 other states, this bill becomes absolutely partisan.

22 House Bill 114 would have made great steps to

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12

1 make sure that no one would be barred from running for
2 office because they have a child. But instead, this sub
3 bill takes a huge chunk out of the original intent of
4 that bill, limiting the spending to only children under
5 the age of 12. I happen to have a nephew who is 21,
6 he's severely mentally disabled.

7 My aunt -- my aunt, excuse, my sister-in-law,
8 I'll get that right, I never know the -- that stuff --
9 my sister-in-law couldn't run for office because my 21
10 years old nephew who is severely mentally disabled
11 can't be by himself, but if she want to run for office
12 this bill now precludes her from using campaign fund if
13 she wanted to because my nephew is over 12. So why was
14 that taken out of the bill?

15 The sponsors didn't know about it, there was
16 no opponents to that provision of the bill when it
17 passed the house. But we did that ruining a lot of what
18 House Bill 114 would do in its own right. The parts of
19 the sub bill that would have fixed the problem where
20 the state [inaudible] early deadline to get on
21 presenter ballot, the earliest in the nation, also
22 should have been an easy thing to vote yes on.

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13

1 I personally believe the legislation should be
2 needed to find a solution to this [inaudible] release I
3 would prefer a permanent solution. I understand the
4 time constraints that this is what the process they
5 wanted but this is not what this bill is either. I
6 mean, this bill is partisan politics at its worst,
7 shoving Senate Bill 215 into a completely unrelated
8 bill after every Democratic voted against 2 -- 215 the
9 first time, is a worst kind of politics.

10 If you remember 215 is a direct attack on
11 direct bureaucracy that the citizens participate it. It
12 would open up small time community organizations a fine
13 of \$10,000 if they decide to buy a couple of t-shirts
14 for the friends in support of a local ballot issue or
15 do nothing to actually stop the problem of dark money
16 or politics.

17 And just like Senate Bill 215, this bill will
18 actually give any way to crack down on foreign
19 spending, it's about as powerful as all these
20 resolutions [inaudible] President Biden saying doing
21 this, do that.

22 There's no power in this -- in the bill to

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14

1 actually crack down on anything because we didn't fund
2 actual people to -- at the Elections Commission to --
3 to investigate any of these so-called foreign money
4 donations. So why are we doing this?

5 For one, it sounds good in a primary stump
6 speech and number two, it's because the majority party
7 got drubbed in the elections in August and November
8 about the ballot issues and they have decided they have
9 to do something else to try to fix the elections so
10 their ballot issues can go through without citizens
11 opposing them.

12 [Inaudible] Bill 215 -- 215 got drafted after
13 the embarrassing show into August and November with
14 voters in Ohio showed that they wanted direct democracy
15 and didn't like the wishes of -- of -- of jury
16 [inaudible] legislature.

17 And even though 215 passed this senate on a
18 parti- -- on a completely partisan limits, then in a
19 Republican controlled house, it died. It didn't get a
20 hearing.

21 So, I mean, it's not the Democrats held the
22 bill at the first time, it's fellow Republicans that

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1 didn't bring this bill to a vote and decided not to
2 vote on it because they thought it was egregious as
3 well.

4 I offer an amendment to the committee to take
5 all the egregious parts of this bill to make it the
6 original 242 -- the original 214 -- excuse me, 114 and
7 just put the president on the ballot but that bill, of
8 course, my -- my amend was tabled.

9 So if we really believe in full democracy,
10 which would have had a clean bill that allows the
11 president on the ballot without having to make it
12 completely partisan, but of course, we can't do that
13 because we have to put partisanship in this bill so
14 that the majority party can say that, you know, they're
15 cracking down on something that's really not going to
16 crack down on.

17 This is an attempt to attack democracy. It
18 isn't subtle or sneaky, it's completely obvious to
19 anybody paying attention that they put -- they're
20 putting the president on the ballot and a bill that
21 Democrats voted against the first time and vote against
22 today, is just their way of saying that they did really

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1 good but again, it's not good enough.

2 I really wanted to vote yes on 114. I wanted
3 to vote to make sure President Biden got on the ballot.
4 Those are both partisan -- bi-partisan common-sense
5 solutions to serious problems.

6 But of course, I can't do that because Senate
7 Bill 215 is completing this bill and it's worst than
8 its first iteration and for that I'm going to vote no.
9 Thank you, Mr. President.

10 SEN. HUFFMAN: Thank you, Senator. Chair
11 recognizes Leader Antonio.

12 SEN. ANTONIO: Thank you, Mr. President. It's
13 an interesting -- interesting process we have. Couple
14 of years ago, there was a time when both Democrats and
15 Republicans needed to make a temporary fix because of
16 the dates didn't line up with our -- with our
17 respective con- -- conventions, and so there was a
18 legislative fix that went through at the time.

19 It was great and we had our conventions,
20 everybody was on the ballot. Our nominees for both
21 parties, those were on the ballot and we went on from
22 there.

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1 This time around, it's just the Democrats. And
2 so, we have a bill. That's an awesome bill that was
3 originally a Democratic bill years ago, to -- to pay
4 for childcare. This is a great idea -- what a great
5 idea for -- for people who are campaigning, kind of
6 level the playing field a little on a playing field
7 that's never level.

8 And -- and so, how -- what a great idea,
9 wonderful. It also provides a vehicle. We talked about
10 a lot about vehicles to be able to do some other
11 things.

12 And as my colleague has already pointed out,
13 unfortunately, the things that have been added make the
14 bill that started out as a benign little bill and would
15 have provided also a short-term fix for the ballot so
16 that both candidates would be on the ballot, which is
17 what I think we all always want, to have a fair
18 election, free and fair elections in our country, in
19 our state.

20 We still profess to embrace that. I certainly
21 do, and -- but unfortunately, the language from 215
22 that is worse than it was before, not better as far as

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1 I am concerned, continues to take away the rights of
2 the people of the State of Ohio when they are
3 attempting a ballot initiative.

4 And, you know, ballot initiatives are
5 difficult. They are difficult to do. They take a lot of
6 work. There's a lot of hoops to jump through to get --
7 to get one on the ballot and then actually to pass it.
8 And it does seem like this is a bit of retribution for
9 the fact that we've already passed a couple ballot
10 initiatives.

11 You see, when the legislature is out of step
12 with the people of the State of Ohio, the people have
13 recourse, they take things into their own hands through
14 a ballot initiative.

15 And this bill would profess that we're going
16 to protect everyone because we're going to make sure
17 that foreign nationals do not donate, do not contribute
18 funds to those ballot initiatives. Well, it's already
19 illegal for foreign donors to donate to Ohio elections.

20 This is harmful because a handful of
21 politicians are trying to exercise power to harass the
22 people that are trying to forward a ballot initiative,

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19

1 and there is a couple that we may be looking at this
2 fall. We need to make sure that we call this what it
3 is.

4 It's an attempt to quash the voice of the
5 voters one more time. And they're on a winning streak
6 right now, because they're not winning here in this
7 chamber or the other chamber, they're winning at the
8 ballot box.

9 They have a message to other voters that
10 apparently has been resonating and that's how these
11 initiatives have passed. And so, what we see once
12 again, is an attempt to silence them, an attempt to
13 make it more difficult, more hoops to jump through
14 under the guise of protecting them from foreign
15 influence and money.

16 I find it ironic that the priority today is to
17 make a difference and make a change for ballot
18 initiatives when this is in our legislature.

19 In this state, we have been the givers, the --
20 the receivers, the ex- -- we have had the experience of
21 one of the largest corruption scandals that the country
22 has ever seen in our state, and yet today we're talking

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1 about reforming ballot initiatives rather than
2 reforming political campaigns and campaign giving or
3 individual campaigns.

4 This is not a campaign finance reform piece of
5 legislation what we should be doing, but that's another
6 story. So I, like my colleague who just spoke, will be
7 voting no on this, and I urge a no vote on this.

8 I also urge us to try to figure out how to
9 work together to not quash the voice of the people of
10 the State of Ohio but to actually listen to them for a
11 change. Thank you. Thank you, Mr. --

12 SEN. HUFFMAN: Thank you, Leader. Chair
13 recognizes Senator Kunze.

14 SEN. KUNZE: Thank you, Mr. President. I rise
15 today to just say I think we don't always get to pick
16 what comes to the floor that we're going to vote on,
17 but to me I think this is a simple -- a simple yes vote
18 because we're allowing the president of the United
19 States to appear on the ballot in Ohio, and that is
20 right and fair. Thank you.

21 SEN. HUFFMAN: Thank you, Senator. Chair
22 recognizes Senator McColley.

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21

1 SEN. MCCOLLEY: Thank you, Mr. President. I
2 just want to address some of the comments that have
3 been made about how somehow, we're suppressing ballot
4 campaigns. Let's keep in mind what -- what they're
5 referring to is the parity that we are creating between
6 ballot campaigns and candidate campaigns.

7 So all of us in this room know that before we
8 even file our petitions, before we may even get a
9 signature on our petitions, we have to file a
10 designation of treasurer and we have to begin disposing
11 our donations and our -- our contributions, and our
12 expenditures. Right? Because that's what the voters
13 want to see. They want to see who is financing these
14 campaigns. It's campaign finance transparency.

15 We are doing the same thing in this bill for
16 ballot campaigns, and that -- we are saying that if you
17 are raising in some cases for these state-wide
18 campaigns millions of dollars before they even start
19 gathering signatures, that we think the voters of the
20 State of Ohio deserve to know that. That's what we're
21 doing here.

22 And so, to say that we're somehow suppressing

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1 a multi-million-dollar campaign in certain
2 circumstances, I just think is -- is ridiculous on its
3 base. And so, again, I would urge passage.

4 SEN. HUFFMAN: Thank you, Senator. The
5 question is, shall the bill pass? Please call the roll.

6 CLERK: Antonio? Blessing? Brenner?

7 SEN. BRENNER: Yes.

8 CLERK: Chavez?

9 SEN. CHAVEZ: Yes.

10 CLERK: Cirino?

11 SEN. CIRINO: Yes.

12 CLERK: Craig?

13 SEN. CRAIG: No.

14 CLERK: Demora?

15 SEN. DEMORA: No.

16 CLERK: Dolan?

17 SEN. DOLAN: Yes.

18 CLERK: Gavarone?

19 SEN. GAVARONE: [Inaudible].

20 CLERK: Hackett? Hicks-Hudson?

21 SEN. HICKS-HUDSON: No.

22 CLERK: Steve Hoffman?

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23

1 SEN. HOFFMAN: Yes.

2 CLERK: Ingram?

3 SEN. INGRAM: No.

4 CLERK: Johnson?

5 SEN. JOHNSON: Yes.

6 CLERK: Kunze?

7 SEN. KUNZE: Yes.

8 CLERK: Landis?

9 SEN. LANDIS: No.

10 CLERK: Lang?

11 SEN. LANG: Yes.

12 CLERK: Manning?

13 SEN. MANNING: Yes.

14 CLERK: McColley?

15 SEN. MCCOLLEY: Yes.

16 CLERK: O'Brien?

17 SEN. O'BRIEN: Yes.

18 CLERK: Reineke?

19 SEN. REINEKE: Yes.

20 CLERK: Reynolds?

21 SEN. REYNOLDS: Yes.

22 CLERK: Roegner?

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1 SEN. ROEGLER: [Inaudible].

2 CLERK: Romanchuck? Rully?

3 SEN. RULLY: No.

4 CLERK: Schaffer?

5 SEN. SCHAFER: Yes.

6 CLERK: Smith?

7 SEN. SMITH: No.

8 CLERK: Sykes?

9 SEN. SYKES: No.

10 CLERK: Wilkin?

11 SEN. WILKIN: Yes.

12 CLERK: Wilson?

13 SEN. WILSON: Yes.

14 CLERK: President Hoffman?

15 SEN. HUFFMAN: Yes. With 24 yays and seven

16 nays, the bill is passed and titled.

17 CLERK: A bill to amend sections of the
18 revised code and modify the campaign finance law and to
19 delay the deadline for major political party to certify
20 as the presidential, vice-presidential candidates of
21 the secretary of state for the 2024 general election.

22 SEN. HUFFMAN: The question is, shall the

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1 title be agreed to?

2 Any member would like to add their name to the
3 title, ple- -- please do so now. The title is agreed
4 to. Bill for third consideration.

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12 I further declare that I have no interest in
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16 June 6, 2024

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20

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22

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Exhibit I



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Transcript of Testimony of Ohio House Government Oversight Committee - Special Session 052824

Date: May 28, 2024
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7 TESTIMONY OF THE
8 OHIO HOUSE GOVERNMENT OVERSIGHT COMMITTEE

9 MAY 28, 2024

10 SPECIAL SESSION

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20 Job No.: 540606

21 Pages: 1 - 52

22 Transcribed by: Christian Naaden

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1 P R O C E E D I N G S

2 REP. PETERSON: We have two items before us,
3 House Bill 1, Representative Seitz. Would you like to
4 present testimony?

5 REP. SEITZ: Thank you, Mr. Chairman, Vice
6 Chairman Thomas and Ranking Member Humphrey. In my 24
7 years up here, I don't think I've ever had House Bill
8 1. So I appreciate the -- the governor calling a
9 special session to give me that great distinction of
10 having the number one bill in the session, how about
11 that.

12 We are focused on a bill that is intended to
13 bridge the gap between the Senate's version, which
14 they've sent us two, on the foreign money ban issue.
15 They sent us House Bill 114, they sent us House Bill
16 305. Both of them were good stabs at the issue.

17 House Bill 305 did make some changes from
18 House Bill 114, because there were some concerns
19 expressed by various interest groups about the breadth
20 and perhaps unintended consequences of certain language
21 in House Bill 114.

22 House Bill 305 took care of many of those

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1 concerns, however, House Bill 305 also contained about
2 40 unrelated provisions that had nothing to do with the
3 foreign money ban and on that basis alone, it seems to
4 me we were taking needless litigation risk by passing
5 that bill, particularly site unseen because of the
6 single subject rule.

7 All of us share a common goal, I hope, of
8 wanting to ban foreign money from Ohio elections, both
9 candidate elections and ballot issue initiative and
10 referendum elections.

11 This should not be a partisan issue. I'll
12 start by saying Harvard University's professor,
13 Laurence Tribe is certainly one of the more liberal
14 professors in the world, said in 2021 offering
15 testimony to the Seattle City Council on this subject,
16 he said, regulating political spending by corporations
17 with significant foreign ownership is consistent with
18 the Constitution and supreme court precedent, indeed
19 concern about po- -- potential foreign influence over
20 our Democratic politics is written into the
21 Constitution itself.

22 And while the supreme court has held that the

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1 First Amendment prohibits limits on independent
2 expenditures in general, it has made an important
3 exception for spending by foreign nationals.

4 Federal law, as hopefully we all know, does
5 prohibit spending on campaigns by foreign nationals.
6 That's good, we are trying to emulate that at the state
7 level just like federal law prohibited non-citizens
8 from voting, but in order to put suspenders on that
9 proposition, we passed a Constitutional amendment in
10 Ohio a couple years ago with 77 percent approval that
11 applied that very same principle to all state and local
12 elections, there being a question as to whether the
13 federal law does in fact jur- -- have jurisdiction to
14 ban practices at the state and local level.

15 That's still very much a question. So what
16 we're doing here is trying as much as possible to
17 emulate not only federal law but also to emulate and
18 implement a -- an -- a written opinion of the Ohio
19 Elections Commission who opined in 2021 that Ohio law -
20 - they viewed Ohio law to already ban spending by
21 foreign nationals in ballot campaigns as well as on
22 candidates.

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1 However, we all know that the Ohio Elections
2 Commission has in recent years been something of a
3 paper tiger and a written opinion of the Ohio Elections
4 Commission is far from the gravity and heft of a
5 statute. And so therefore, what we're trying to do is
6 bring forward principles that align with the federal
7 law and that align with the OEC opinion and put that
8 into Ohio statute.

9 You will note two very signal differences
10 between our short bill of 21 pages and the Senate's
11 very long bill, 305, the first 2 obvious ones are we
12 don't have any of the extraneous provisions that were
13 part of 305 in this bill, this bill deals only with the
14 foreign money ban issue and unlike 305, this bill does
15 not deal with the question of whether President Biden
16 belongs on the ballot this year in Ohio.

17 That will be addressed in a separate bill
18 brought forth by my colleague, Representative Dobos
19 after we're done. So I have prepared and hopefully by
20 the end of this speech you'll have it and your folks
21 will make copies for the committee a comparison
22 document of sorts that compares what the Senate bill

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1 does on foreign money ban to what we're doing here and
2 you'll see the differences; okay?

3 We are pretty much the same on the enforcement
4 of the new prohibition, vesting enforcement in the
5 attorney general of Ohio upon recommendation of the OEC
6 and giving him investigatory power over the conduct of
7 foreign nationals.

8 We are also very much in line with the Senate
9 on the penalties for violation of the foreign money
10 ban, but unlike the Senate, we are being much more
11 geometrical in our approach to the question.

12 What do -- what do I mean by that? The
13 shortest distance between two points is a straight
14 line. So let's be simple and direct emulating federal
15 law, emulating the Ohio Elections Commissions'
16 rationale as much as we can without getting into what
17 we view as being possibly redundant and unduly verbose
18 language that is throughout the Senate version of the
19 foreign money ban bill.

20 You will see that we do not include the
21 Senate's rewrite of the definition of foreign national,
22 we do not include that, we are adhering to the federal

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1 definition of foreign national. So that's one
2 difference. Another difference is we do not yet have a
3 requirement that every treasurer of every campaign must
4 sign a certification of compliance, because we think
5 that that may be a little bit much in terms of the
6 penalties that might be imposed on some treasurers
7 somewhere. Unlike the Senate bill, we are
8 confining this bill only to spending on statewide
9 ballot initiatives, whether Legislatively initia- --
10 initiated or not and -- and statewide initiative and
11 referendum petitions.

12 The Senate bill sweeps in all elections,
13 including local ones, which cons- -- which caused some
14 folks in the Senate and on the minority party side to
15 be making a big deal out of the fact that now we need
16 to get into all of this -- the detail if somebody is
17 just trying to do a local liquor li- -- option in a --
18 in a given precinct somewhere, they would have to go
19 through all this fufora [ph], which we don't think is
20 really necessary if the goal here is to try to restrict
21 foreign spending on statewide issues.

22 So that's another difference between ours and

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1 theirs; okay? We, again, share the goal of banning
2 foreign national spending on statewide elections and to
3 a very large extent, this is strictly a -- a -- an
4 argument among lawyers as to the best way to do it.

5 So I know our legal counsel has been in close
6 contact with their legal counsel, I participated in
7 some calls between both legal counsels and Senator
8 McColley who is the principle draftsman or the
9 principle sponsor over there of these initiatives.

10 And so we -- we're making progress is what
11 I'll say, but what I'll further say is until we get
12 agreement with the Senate, there's really no point in
13 proceeding, because we all know it takes two -- it
14 takes two chambers to eventually come to an agreement
15 before we get anywhere. We believe we're making
16 progress, we believe there may even be --

17 In fact, some of us are working on even a more
18 direct and simple approach, which you may see in a
19 substitute bill or amended bill as time marches on this
20 week, but our goal is to get this stated clearly,
21 concisely as possible and proceed from there leaving
22 the question of Mr. Biden to a different bill and that

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1 is what this bill is all about. And with that, I'll be
2 happy to try to take your questions.

3 REP. PETERSON: Thank you for your testimony.
4 Thank you for your work on this effort. Are there
5 questions for the witness? Representative Isaacsohn.

6 REP. ISAACSOHN: Thank you, Chair. I imagine
7 there will be a fair amount of questions for
8 Representative Seitz. Representative Seitz, I'll start
9 with congratulations on getting House Bill 1, very
10 exciting for you.

11 My question is -- first question is sort of
12 you presented in a vacuum that these are two separate
13 bills, let's talk about them separately, but the
14 reality is these bills together are why House Bill 1
15 and 2 are why we have a special session and it was
16 clear in the governor's proclamation.

17 And so I'll start by one of your colleag- --
18 one of our colleagues, Representative Bird said on
19 Friday that the reason we need a special session is
20 because there is a price to be paid and that we deserve
21 to get something for Democrat's mistakes. Is House Bill
22 1 the price to be paid for getting the president on the

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1 ballot in House Bill 2?

2 REP. SEITZ: Well, Mr. Chairman and -- and
3 Representative Isaacsohn, I'm not going to comment on
4 what Representative Bird did or didn't say; okay?
5 They're two separate issues. We're here, because the
6 governor called a special session. He called a special
7 session to address these two issues.

8 What linkage there is between the two issues,
9 I guess everybody's entitled to make their own opinion,
10 but I'm not going to sit here and -- and -- and
11 speculate on what -- what Representative Bird meant and
12 I've heard Representative Stewart say much of the same
13 thing, they're them and I'm me. So you can ask them the
14 question if you see them this week.

15 REP. PETERSON: Continue and let's keep our
16 topic on House Bill 1. We've got House Bill 2 coming.
17 Proceed.

18 REP. ISAACSOHN: With all due respect, Chair,
19 the governor calling a special session made it very
20 clear that these two are linked. They are -- it is a
21 fallacy and we're --- you know, it's a pure
22 hypothetical to say that they're not linked. We are

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1 doing one because of the other.

2 And so I guess my question is do you -- do you
3 think it's appropriate to set the precedent that to get
4 the president of the United States on the ballot, there
5 needs to be a compan- -- a price to be paid in a
6 separate bill in House Bill 1 to achieve some political
7 goal?

8 REP. SEITZ: Well -- well, let's --

9 REP. PETERSON: You may respond if you wish or
10 you may --

11 REP. SEITZ: Yeah. Yeah.

12 REP. PETERSON: -- we can go on to the next
13 one.

14 REP. SEITZ: Yeah. I mean, Mr. Chairman,
15 Representative Isaacsohn, I mean, that's really kind of
16 irrelevant too. The fact of the matter is these are two
17 issues that are very important issues. You will recall
18 that this committee passed in Senate Bill 92 a
19 straightforward issue of putting Biden on the ballot.

20 So obviously, there was no linkage at that
21 point and time and that's what this committee has
22 already voted to do. So I -- I dispute the idea of

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1 linkage there. And the -- the other thing I'll say is
2 the -- the committee process is to figure out the best
3 way to get some things done. There was a number of my
4 colleagues that were not going to vote for anything
5 having to do with Joe Biden unless -- unless the
6 foreign money issue was also resolved.

7 That was them and I'm me. We are trying to
8 respond to the governor's call for a special session.
9 We have no choice but to do so. These are -- they are
10 two separate issues in my mind and always have been and
11 if we deal with them at the same time, so what.

12 REP. PETERSON: Representative Skindell.

13 REP. SKINDELL: Thank you, Mr. Chair. Thank
14 you, Representative Seitz. You and I and I think there
15 was a couple others who were here in 2004 with the last
16 special session and we were dealing with campaign
17 finance issues. In your opening, you had mentioned that
18 there were several interest groups that approached
19 Legislators working on this issue regarding the breadth
20 of 114 and I'm kind of curious what interest groups
21 were those that were expressing concerns at that time.

22 REP. SEITZ: Sure. Sure. And Mr. -- Mr.

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1 Chairman and Representative Skindell, three that I'm
2 aware of and again, only indirectly, because only one
3 of them actually came to me, the one that came to me
4 was the Buckeye Institute, you're certainly familiar
5 with that thinktank, the Catholic Conference and Ohio
6 Right to Life and -- and those were the three that had
7 -- I heard either through the grapevine or directly
8 that had questions.

9 And so some of those questions were answered
10 in the language that you see in 305. The language --

11 REP. SKINDELL: Okay.

12 REP. SEITZ: -- that you see in 305 reflects a
13 tweak or a change recommended by the Buckeye Institute,
14 which in their view and in the view of the Catholic
15 Conference and Ohio Right to Life resolved whatever
16 question they had about over-breadth.

17 REP. SKINDELL: Okay. Mr. Chair to
18 representative, thank you. Just I don't need the minute
19 details, but could you just generally describe what the
20 overall concerns were of these groups that --

21 REP. SEITZ: Well, Mr. Chairman and
22 Representative Skindell, I -- I probably couldn't,

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1 because as I told you, I didn't hear from the Catholic
2 Conference or the Ohio Right to Life myself; okay? And
3 the Buckeye Institute was just concerned about any
4 language that could somehow be construed to be a donor
5 disclosure type of requirement and about any language
6 that would penalize the inadvertent acceptance of
7 foreign money.

8 For example, I kept hearing this hypothetical,
9 what if a -- what if a -- an immigrant from Latin
10 America comes to Our Lady of the Perpetual Sorrows
11 Church and throws some money in the plate and
12 ultimately, that money finds its way into the Catholic
13 Arch Dioses to be spent on -- on, you know, fighting
14 whatever ballot issue they care to fight this year,
15 would that be a problem?

16 That was the -- that was the hypothetical that
17 was spun. I thought it was rather fanciful at the time,
18 but the Senate did try to deal with that in their
19 language by -- by requiring three levels of mans rea
20 and scienter in order for that to apply. We are not
21 following that model in this bill, we are more -- more
22 nearly tracking the language that we see in the OEC

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1 opinion and in federal law.

2 REP. SKINDELL: Okay. Mr. Chair.

3 REP. PETERSON: Continue.

4 REP. SKINDELL: Thank you. In your opening,
5 you had mentioned that one of the things that the
6 Senate bills had and this one doesn't was with regard
7 to the certification of the -- the campaign committee.
8 I noted that in House Bill 1 at line 303 and also at
9 418, there is a certification. I'm kind of curious,
10 just what is that certification in comparison to the
11 one that you're trying not to include from the Senate?

12 REP. SEITZ: Well, the Senate language
13 requires all campaign treasurers to certify under
14 penalty of election falsification, which is a felony,
15 that they have not violated any campaign finance laws
16 and certification is required both at the time of
17 filing your initial designation of treasurer and when
18 filing your statement of contributions and
19 expenditures.

20 So you know, the concern that I've heard about
21 that is do you really want to -- I mean, it's going to
22 be hard to find people willing to serve as treasurers

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1 if you've got to give all these certifications under
2 penalty of being a felon.

3 And so the compromise that I would suggest and
4 we'll see if the Senate would like to go with it is
5 rather than say nothing on that score, we could say,
6 well, yeah, we still need a certification from a real
7 live person, but it might just be a -- a -- a -- a
8 civil penalty or a fine of some sort as opposed to a
9 felony conviction; okay?

10 That's one possible compromise on this issue.
11 We don't have it yet, but that would be a compromise on
12 this issue. The reason is if you recall, because you're
13 an old-timer, there was a big case some years ago in
14 which some outfit out of Virginia spent boku money on
15 some Ohio election, and I forget what they were
16 spending the money on, but we -- they were doing it all
17 wrong and they were ultimately found --

18 The committee was found to be responsible for
19 millions of dollars in fines, but there was no real
20 live individual that they could pursue and the
21 committee was sort of like gone with the wind. So we've
22 got this huge, horrendous multi-million-dollar fine

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1 floating around in the ether and no way to collect even
2 a farthing of it.

3 So I think that might've been part of the
4 underlying basis for why we need some sort of a
5 certification from the -- from the treasurer. I think
6 the dispute is a very narrow one over how extensive is
7 the penalty for an improper or in- -- untruthful
8 certification.

9 REP. SKINDELL: Mr. Chair.

10 REP. PETERSON: Continue.

11 REP. SKINDELL: Thank you for that,
12 Representative Seitz. I know sometimes we've given LLC
13 instructions and then we find -- see the actual bill
14 and they actually didn't deal with it. You may just
15 want to reexamine those 2 areas --

16 REP. SEITZ: Yeah. We did.

17 REP. SKINDELL: -- 303 and 418 --

18 REP. SEITZ: Will -- will do.

19 REP. SKINDELL: -- because there is a penalty
20 of election falsification for the treasurer not filing
21 the -- the certification. So --

22 REP. SEITZ: At -- at what point and time, the

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1 initial certification or only on the contribution of
2 expenditures?

3 REP. SKINDELL: I -- I think that needs to be
4 delved into --

5 REP. SEITZ: Yeah.

6 REP. SKINDELL: -- we can -- and we can work
7 on that --

8 REP. SEITZ: Fair enough.

9 REP. SKINDELL: -- just to point that out.
10 Just for -- Mr. Chair, just a final question at the
11 moment so that other members can have the opportunity,
12 you had talked about the -- the federal prohibition
13 about nationals -- foreign nationals providing
14 contributions or expenditures and there's -- there's
15 been a series of federal court decisions regarding
16 those prohibitions.

17 I'm kind of curious, is -- how does House Bill
18 1 differ from the federal laws in any way? Are -- is --
19 is House Bill -- House Bill 1 more restrictive than the
20 federal boundaries in your assessment or are they about
21 equal?

22 REP. SEITZ: Well -- well, Mr. Chairman,

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1 Representative Skindell, we're -- we're trying to
2 pattern ourselves after existing precedence, both at
3 the federal level and under the OEC opinion; okay? I'm
4 not sure we know exactly what all the differences might
5 be, I guess we can all study it and figure it out, but
6 ours is much closer to the federal prohibitions than is
7 the Senate's version and follows that structure and
8 format to a much greater extent than does the Senate
9 version.

10 So -- and by the way, the precedent on this is
11 the Bluman case, B-l-u-m-a-n, which was a three-judge
12 panel, which is strange in and of itself, but a three-
13 judge panel and the opinion was written by a now
14 Justice Kavanaugh at a time when he was still a circuit
15 court judge. That decision was appealed to the supreme
16 court and was affirmed without opinion.

17 And so I think we can all look at the Bluman
18 case as being a pretty sound guidance on what is the
19 permissible -- permissible extent to which foreign na-
20 -- foreign nationals may be regulated; okay?

21 And that decision, both on the right and the
22 left, they all cite the same case, Bluman, and, you

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1 know, we've certainly read that case pretty carefully
2 and are trying to -- trying to stick within the ambit
3 of that case, which is one of the reasons -- one of the
4 reasons why even though I might like to ban green card
5 holders from contributing, because, you know, they
6 can't vote, the rationale is well, you can't vote, so
7 why should you be allowed to contribute; okay?

8 The converse is well, green card holders are
9 lawful permanent residents of the United States and
10 they can serve in the military. So you know, I might go
11 along with the idea of banning them from contributing,
12 but I think the more prudential thing to do is to leave
13 the definition of foreign nationals as it stands under
14 federal law, which provides an exception whereby green
15 card holders are allowed to contribute and that is what
16 we're doing.

17 REP. SKINDELL: Okay. Thank you.

18 REP. PETERSON: Representative Grim with a
19 question.

20 MS. GRIM: Thank you, Chair. Thank you so much
21 for being here. I've got a couple questions for you. So
22 there's been a bill that's been introduced a couple of

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1 GAs, House Bill 112, right now for the 135th, which
2 would deal with the -- the issue with foreign
3 donations, but also dark money.

4 So wouldn't it make more sense to have -- to
5 have hearings on that bill, because we're -- we're
6 actually addressing the issue that we need to address
7 is dark money in our elections?

8 REP. SEITZ: Well, Mr. Chairman, there's two
9 answers to that. First is under the rules of special
10 session, we are constrained and confined only to the
11 issues for which the governor has issued a call for
12 special session and since those are the only two
13 issues, Biden on the ballot and foreign money ban, that
14 is all we may consider in this special session, number
15 one.

16 So we cannot consider the larger question of
17 dark money and I'm not familiar, as we stand here
18 today, with what 112 says. I don't know if -- I don't
19 even know if we've had hearings on it. I mean, maybe we
20 have, I don't know, but I guess we'll deal with that in
21 -- all in good time, as they said on the Wizard of Oz,
22 all in good time, my pretty, all in good time; right?

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1 REP. PETERSON: Follow-up?

2 MS. GRIM: Sure. Thank you. Yeah. So we're
3 here for a special session, but this has been around, I
4 think, for several GAs. It's a -- it's a Miranda-
5 Sweeney Bill. You know, Miranda's no -- no longer here,
6 but why haven't we heard anything on that, because
7 again, it -- it really deals with a larger issue.

8 So I wanted to make that point, but also, we -
9 - we are talking about foreign donations, but again, we
10 should really be talking about the dark money in our
11 campaigns. So the -- the -- this bill claims to be
12 about election integrity when it comes to who finances
13 campaigns. So does this ban dark money contributions?

14 REP. PETERSON: So I think we're beyond the
15 topic of the -- of the -- the bill before us. You're
16 welcome to respond if you want.

17 REP. SEITZ: Sure. And Mr. Chairman,
18 Representative Grim, it does if the -- if the dark
19 money is infected by foreign donations, otherwise not.

20 REP. PETERSON: Follow-up?

21 MS. GRIM: Yeah. So as we mentioned, federal
22 law already makes contributions to foreign nationals

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1 illegal. So why wouldn't we focus on real campaign
2 finance reform, which is around dark money and to
3 support state legis- -- the candidates?

4 REP. SEITZ: Well --

5 MS. GRIM: I'm going to bri- -- I'm going to
6 keep bringing it up.

7 REP. SEITZ: -- well -- well, Mr. Chairman --
8 and I'll -- I'll just say asked and answered. We've
9 already answered that. We're constrained by the call of
10 special session to deal with only the issues that we're
11 dealing with.

12 REP. PETERSON: Representative Humphrey.

13 MS. HUMPHREY: Thank you, Mr. Chairman and
14 thank you, Representative for being here. Real quick, I
15 want to ask a -- a question with regard to the
16 emergency clause portion of -- of the bill.

17 One, just want to know why do we need an
18 emergency clause? And then the other -- the other piece
19 of it is yeah, why -- what -- what are the reasons that
20 we would need an emergency clause to the bill, kind of
21 ties into why did the governor call an -- an emergency
22 session or committee or however you want to put it for

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1 this specific bill?

2 I can see the other bill. So I guess, my -- my
3 question is why is the emergency clause portion
4 necessary?

5 REP. SEITZ: Mr. Chairman, Representative
6 Humphrey, I will not opine or guess why -- why -- what
7 the governor's motivations were. I think the governor's
8 motivations, based on the conversation that I've had
9 with him and the lieutenant governor and the secretary
10 of state, is, you know, we'd like the House and Senate
11 to get on the same page on both of these questions,
12 because we look a little bit dysfunctional to the
13 extent we are not on the same page.

14 That's their opinion; okay? And -- and
15 frankly, I share that opinion. That's why I've been
16 working so diligently to try to bridge the gap between
17 the House and Senate versions. The emergency clause as
18 part of this, as introduced, I will bet my biffy, as
19 Rowan and Martin [ph] used to say, that we will strip
20 that out on the next version of the bill, because to
21 get an emergency clause, you need 66 people out of the
22 99 of us and I doubt that we'll get that this week.

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1 MS. HUMPHREY: Okay. Thank you,
2 Representative.

3 REP. PETERSON: Representative Brown with a
4 question.

5 REP. BROWN: Thank you, Chair. First of all,
6 Representative Seitz, thank you for bringing us a 21-
7 page bill instead of a 200-plus-page monstrosity, as
8 the Senate has, which basically, House Bill 305 was my
9 bill, a simple bill to deal with electronic filing and
10 pleadings in court and they turn it into some kind of
11 Frankenstein's monster, which violates the single
12 subject rule in about 15 different ways.

13 And you mentioned your concern about that, I
14 think it's a valid concern. So thank you for bringing
15 us a rational bill with which we may have some
16 questions which are a lot more amenable to solving the
17 issue than the Senate bill. Now, I did have a question.
18 I was looking at Section W, which is on Page 14 of the
19 bill, which lists -- it says, no foreign national shall
20 knowingly do any of the following and it lists 3
21 things, A, B and C.

22 And my question is with regard to paragraph C,

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1 this is on lines 395 through 397, Page 14, and it says,
2 no foreign national shall promise, either expressly or
3 implicitly, to make a contribution, expenditure or
4 independent expenditure, blah, blah, blah. My question
5 is I didn't see im- -- implicitly -- or an implicit
6 promise defined anywhere. Do you have a definition for
7 what is or what constitutes an implicit promise?

8 REP. SEITZ: Mr. Chairman and Representative
9 Brown, I do not believe the bill defines implicitly and
10 since the bill does not define implicitly, we would,
11 under common rules of Legislative construction, go back
12 to your Funk & Wagnalls or your Websters or whatever
13 and find out what the -- or Black's Law Dictionary and
14 find out what the common ordinary meaning of the term
15 is. So that's -- that would be my answer on that one.

16 And by the way, I'll just say this too, you're
17 not very happy with what they did to 305. I might say
18 Representative Humphrey and I, they -- they took our
19 114 and -- and put a bunch of stuff in there too with -
20 - so both of our bills will end up pro- -- probably
21 hopefully having to go to conference committee to be
22 restored to their original pure state.

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1 REP. PETERSON: Follow-up.

2 REP. BROWN: Do you believe that the phrase
3 implicit promise is something that could end up in
4 litigation with some arguing that it is either overly
5 broad or vague?

6 REP. SEITZ: Mr. Chairman and Representative
7 Brown, that is certainly a possibility, you know, and I
8 do not -- I don't want to get off topic, but you -- you
9 could go back to the Speaker Householder trial and it
10 was pretty clear that there was no expressed quid pro
11 quo there, but the jury found and the government argued
12 that well, there was a wink and a nod and a -- and a --
13 and an implicit agreement of some kind or the
14 Sittenfeld trial in Cincinnati, Ohio, which
15 Representative Isaacsohn and -- and I are familiar with
16 where again, it wasn't entirely clear at all and the
17 Sixth Circuit now is kind of agreeing with Sittenfeld
18 that you don't have expressed quid pro quo for -- for --
19 -- to put the man in jail, but the -- the jury found in
20 that case that there was some sort of, you know,
21 implicit wink, wink, nod, nod deal and -- and convicted
22 on that basis.

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1 So yes, it could end up in litigation. It has
2 ended up in litigation in the context of campaign
3 finance and bribery laws in recent examples, both
4 involving Councilman Sittenfeld and Speaker
5 Householder.

6 REP. BROWN: Follow-up, Chair.

7 REP. PETERSON: Continue.

8 REP. BROWN: Thank you. With regard to the
9 portion of the bill that deals with the attorney
10 general matter --

11 REP. SEITZ: Yes.

12 REP. BROWN: -- in the -- this is on Page 18
13 and -- and 19 of the bill, the case of the failure to
14 comply with or violation of law involving this issue,
15 it says, the commission shall refer -- the -- the Ohio
16 Elections Commission shall refer the matter to the
17 attorney general except that if the attorney general's
18 victim or witness or otherwise involved in the matter,
19 then the commission shall refer to a county prosecutor.

20 So my first question with regard to this
21 particular issue is what was the rationale between
22 taking power away from county prosecutors and giving it

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1 to the attorney general in this situation?

2 REP. SEITZ: Mr. Chairman and -- and
3 Representative Brown, the language that you see before
4 you is narrower than the Senate version on this topic,
5 because the Senate version would have given the
6 attorney general the power to investigate and prosecute
7 any violation of the election finance laws.

8 And the Prosecuting Attorneys Association
9 called me last Friday probably, Saturday, I don't know,
10 and said, we don't like that, we -- we -- we want to
11 retain our jurisdiction over the campaign finance laws
12 that we currently have, but we have no problem with
13 giving the attorney general jurisdiction over this
14 foreign money issue and that's what Lou Tobin told me
15 last week.

16 So that's what this -- that's what this
17 language says; okay? They will continue to have their
18 jurisdiction over everything else, but I think because
19 of the intricacies of foreign money and tracing foreign
20 money and all of that, that maybe the attorney general
21 and his vast army of -- of lawyers is probably maybe
22 better equipped than a local county prosecutor to get

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1 to the bottom of -- of those questions.

2 So I think that is the rationale. And again,
3 our bill is narrower than the Senate bill on this same
4 subject.

5 REP. BROWN: I -- I definitely --

6 REP. PETERSON: Follow-up?

7 REP. BROWN: Follow-up. I can see that, ab- --
8 absolutely, more narrow. The -- the other part of that
9 is the attorney general gets the shall -- the
10 commission shall refer to the attorney general unless
11 the attorney general is a victim or a witness or
12 "otherwise involved in the matter." Who makes the
13 determination as to whether or not the attorney
14 general, in any particular cir- -- circumstance, is
15 otherwise involved in the matter?

16 REP. SEITZ: Mr. Chairman and Representative
17 Brown, I would assume that would be the attorney
18 general for following his normal rules of when he's
19 conflicted out. I mean, this happens with the attorney
20 general not infrequently where he's got two different
21 state agencies that are arguing at loggerheads with one
22 another and he ends up saying, well, I can't really get

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1 involved in representing either one of you.

2 So I would assume that to be the case. You
3 know, if -- if you want to add as determined by
4 somebody, I'm open to that.

5 REP. BROWN: Okay. I -- I appreciate that.

6 REP. PETERSON: If you --

7 REP. BROWN: I was just curious as to what the
8 thought process was. So at this point, the way you
9 understand it is it's up to the AG to essentially
10 police himself or herself?

11 REP. SEITZ: I -- I -- I -- Mr. Chairman, I
12 believe that to be correct.

13 REP. BROWN: All right. No question -- no
14 further at this time. Thank you.

15 REP. PETERSON: All right. I -- I do have a
16 quick question and I know you hit -- you talked about
17 it in your testimony, but could you re-explain -- you
18 believe that this -- under existing law, you believe
19 that foreign nationals aren't legally allowed to
20 contribute currently, but that this would be
21 strengthening that law. Could you walk through that one
22 more time, please?

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1 REP. SEITZ: Sure. Sure. And Mr. Chairman,
2 yes, let's -- let's walk through it again. The Ohio
3 Elections Commission issued an opinion in 2021 that
4 they thought the existing 3517., I think, 13 was
5 sufficiently broad to encompass contributions to
6 statewide ballot campaigns. That was their opinion.

7 The commission could change their opinion. The
8 comm- -- the opinion was never challenged in court but
9 could be. And so enshrining that opinion or the
10 premises of that opinion in statute strengthens the
11 opinion that they reached, number one.

12 Number two, there is a federal prohibition on
13 this subject, we acknowledge that, that does extend to
14 ballot issues as well as to campaign candidate
15 committees, but there is a question as to whether
16 federal law could be applied jurisdictionally over
17 state and local elections that didn't involve a federal
18 question; okay?

19 Just like in the example that I gave was, the
20 ban on non-citizen voting, that's a federal law too,
21 but we put belt and suspenders on that a couple years
22 ago when we passed that same principle into our

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1 Constitution to make it applicable to state and local
2 elections, same theory.

3 REP. PETERSON: Thank you. And then
4 Representative Isaacsohn with a question.

5 REP. ISAACSOHN: Thank you, Chair. And I -- I
6 just want to sort of summarize what we just heard in
7 one of -- some of the things, Representative Seitz,
8 you've said already to make sure I have it right, but
9 basically, this is already against the law from -- as
10 per federal law. OEC has already found that this is
11 against the law here in Ohio.

12 So this is al- -- having foreign nationals
13 contribute to campaigns is already against the law per
14 the Ohio Elections Commission and federal law, as
15 you've described, which makes this fundamentally
16 political the fact that we are having this hearing and
17 that this bill has been introduced and it's political
18 in two ways.

19 One, we already talked about, which is the
20 fact that both -- some of your colleagues and the
21 Senate president have said there's a price to be paid
22 to get the president on the ballot, but it's also

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1 political -- and this is -- you said, you're not them,
2 you're you, so I'll just refer to something you said a
3 few days ago, which is that this is about people --
4 particularly, people in the majority party who don't
5 want to face primaries for ha- -- from the ideological
6 right wing for having voted to put President Biden on
7 the ballot.

8 And so they need a counter balance. So it's
9 political in that way, but it's also political, as
10 we've just heard, in that this bill is going to use
11 that red herring of preventing something that's already
12 prevented by federal law in order to hinder ballot
13 initiatives, like the ones we saw last year.

14 And so my question to you is how do you think
15 it's most likely to hinder those ballot initiatives?

16 REP. SEITZ: Mr. Chair and -- and
17 Representative Isaacsohn, I completely dispute your
18 premise. I've explained this to -- first, in my
19 testimony, then again to Representative Peterson, the
20 fact that it might be an opinion of the OEC that it's
21 against the law or that federal law says it's against
22 federal law does not mean it is against the law

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1 statutorily in the state of Ohio.

2 So this is not an exercise in politics. This
3 is an exercise perhaps in belt and suspenders, but it
4 is not an exercise in politics. Yes, there was a point
5 in time a couple weeks ago when we thought well, maybe
6 if we put the Biden question into a bill with the
7 foreign money question, people could overcome their
8 qualms, some of them, about putting -- doing anything
9 that would be perceived as helping a Democrat.

10 That's what -- we tried that gambit, as you
11 recall, and we didn't do it and it turns out it wasn't
12 a bad thing that we didn't do it, because it allowed us
13 to work collaboratively with the groups that I
14 mentioned before to resolve their questions about the
15 breadth of House Bill 114's fix; okay?

16 So you know, I -- I mean, how many times do I
17 have to say it that -- that we're doing this, because
18 it is not entirely clear that it is against the law in
19 Ohio for foreign nationals to contribute to ballot
20 campaigns. Now, I think when you read this bill, this
21 doesn't have a damn thing to do with ballot initiatives
22 that are not infected by foreign money.

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1 So if you want to have your ballot initiatives
2 for God knows what -- God knows what the voters will be
3 asked to pass upon in the future without benefit of
4 being adequately informed of -- on the subject matter,
5 but you're still going to be completely free to do that
6 as long as you don't have a bunch of foreign money
7 providing you with an illegal boost to your efforts.

8 REP. ISAACSOHN: Well, on that point, Chair --

9 REP. PETERSON: Continue on the subject of the
10 bill, please.

11 REP. ISAACSOHN: I'll -- I'll cont- -- will
12 continue that thought ex- -- exactly. I want to spell
13 that out a little bit as to what the bill says, because
14 you're talking about the infection of foreign money and
15 protecting election integrity.

16 So let's say you're a PhD student studying at
17 Ohio State from Cambridge University in England, the
18 type of talent that we certainly want to keep here when
19 they finish their PhD, but you are considered a foreign
20 national student studying here, you hear about this
21 unbelievable to you fact that Ohio is trying to keep
22 women from getting abortions when it's medically

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1 necessary, so you decide you want to go to a rally
2 about issue one, you buy a poster for \$10, you make
3 your sign and you're there protesting to defend
4 reproductive rights, would you be subject to the line
5 that says -- describing someone who makes an
6 expenditure or an independent expenditure in support of
7 or opposition to any statewide ballot initiative for
8 that \$10 expenditure, are they subject to a \$10,000
9 fine?

10 REP. SEITZ: Mr. Chairman, Representative
11 Isaacsohn, no, that's -- we're talking about
12 contributions in connection with a ballot pack. What
13 people do on their own time with their own money as an
14 individual is unaffected.

15 REP. ISAACSOHN: Sorry, point of
16 clarification, Chair.

17 REP. PETERSON: Continue.

18 REP. ISAACSOHN: Okay. So in support or
19 opposition to any statewide ballot issue or question is
20 not really what you -- that's not what you mean,
21 though?

22 REP. SEITZ: Mr. Chairman, Representative

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1 Isaacsohn, please read the whole bill and we can talk
2 offline about your going down a rathole that is not
3 there.

4 REP. PETERSON: Representative Humphrey with a
5 question.

6 MS. HUMPHREY: Thank you, Mr. Chairman and
7 thank you, Representative for your responses. Quick
8 question about foreign money possibly impacting ballot
9 initiatives, from what I have read, there are no real
10 clear -- or credible evidence that foreign really does
11 affect ballot initiatives, but I wanted to ask you,
12 because I know that you are knowledgeable in this
13 space.

14 So I wanted to ask you do you know of for-sure
15 certain situations -- circumstances where foreign money
16 has specifically affected ballot initiatives?

17 REP. SEITZ: Sure. Mr. Chairman,
18 Representative Humphrey, the 1630 Fund is a
19 corporation, it is also a C4 and it -- it has received
20 millions of dollars from a foreign national or maybe
21 more than one foreign national. It played very heavily
22 in the -- in the issue one last year. It's playing very

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1 heavily in the Mar- -- you know, O'Connor initiative
2 this year.

3 And so yes, foreign -- now, did it -- was it
4 the determining factor in the vote? I don't know, but,
5 you know, people raise money and spend money on a
6 campaign hoping to influence the outcome. Why else
7 would you do it? So when you look at the history of the
8 1630 Fund and when you look at who's paying into the
9 1630 Fund and it's some guy from Switzerland named Hans
10 George somebody, okay, that's what we want to stop.

11 And it could -- you know, just because it's
12 him today, some Swiss guy, okay, it could be Chairman
13 Z. tomorrow coming out of China, it could be Vladimir
14 Putin spending money to defeat Joe Biden to get his
15 friend Trump elected; okay? It could be anybody. The
16 world is a dangerous place.

17 There's a lot of bad people out there. The
18 United States is the number one economy in the world,
19 we are a ripe target for foreign interference and we
20 want to be as assiduous as we can to prevent that
21 foreign interference from clouding the judgment of Ohio
22 and United States' voters.

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1 REP. PETERSON: Follow-up?

2 MS. HUMPHREY: So thank you, Mr. -- Mr.
3 Chairman. So essentially, I just want to -- just want
4 to ask this question real quick just so I have clarify,
5 so do you believe that this piece that -- that -- that
6 the -- the governor wants to bring up with regard to
7 foreign -- foreign money, do you believe that it is
8 directly tied and applies to the citizens, not
9 politicians, ballot amendment? So do you feel like
10 we're doing that with regard to this upcoming ballot
11 amendment?

12 REP. SEITZ: Mr. Chairman, Representative
13 Humphrey, it deals with every single ballot amend- --
14 ballot initiative hereafter. It deals with that, it
15 deals with the one to jack up the minimum wage to
16 ridiculous levels, it deals with the [Inaudible]
17 underway to remove qualified immunity from police
18 officers and God knows what they're going to think of
19 for next year or the year after that.

20 It is not targeted at any one ballot
21 initiative, it is ubiquitously effective as to all
22 future ballot initiatives.

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1 REP. PETERSON: And we -- I have a quick
2 question, we -- we have had a great discussion and
3 we'll get to some more here in a minute. We've had a
4 great discussion about the Constitutional law and
5 Constitutional amendments. Can I -- is it fair to
6 simply say that all of us as candidates are not allowed
7 to take foreign money to our campaigns? And this would
8 just be putting that same law --

9 REP. SEITZ: Yeah.

10 REP. PETERSON: -- in place for ballot
11 initiatives.

12 REP. SEITZ: Yeah. Yes.

13 REP. PETERSON: Is that true?

14 REP. SEITZ: Mr. Chairman, that's exactly
15 right. That's exactly right.

16 REP. PETERSON: Thank you. Representative
17 Skindell, some more -- some more lawyer talk I expect
18 to note.

19 REP. SKINDELL: Thank you, Mr. Chair. And Mr.
20 Chair, your -- your pri- -- prior question there kind
21 of leads into my question, that same section that the
22 chairman was referencing, which falls under 3517.13 and

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1 in the bill, those that have it easily accessible and
2 wants to look at it, it's at line -- li- -- at line
3 1146.

4 There's a -- a change in there that I'm
5 curious about, I -- I know that over the years working
6 with you, particularly in criminal law, you've always
7 made sure that you've placed the mens rea in this in
8 criminal law.

9 The -- there's a mens rea that is now being
10 inserted in this and it basically says, no candidate,
11 campaign committee, etc. shall, and you're adding
12 knowingly solicit or accept a contribution,
13 expenditure, independent expenditure from a foreign
14 national. Could you explain why it's necessary to put
15 that mens rea in that provision of law?

16 REP. SEITZ: Sure. Mr. Chairman,
17 Representative Skindell, it narrows the scope of the
18 law. That's -- that's what we're trying to do, to make
19 sure that things are -- that you're not being unduly
20 pen- -- penalized for inadvertent -- inadvertent
21 mistakes.

22 REP. PETERSON: Follow-up.

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1 REP. SKINDELL: Mr. Chair, is that mens rea in
2 there going to the mental state of receiving the
3 contribution or also receiving the contribution also
4 knowing that it's coming from a foreign national?

5 REP. SEITZ: What -- what line number are you
6 in?

7 REP. SKINDELL: This is line 1149.

8 REP. SEITZ: I don't see line 1149. My -- my
9 version of this 21-page bill ends at 604.

10 REP. SKINDELL: This is dash 2 of House --

11 REP. SEITZ: Well, hold on, I don't know, I'm
12 -- I'm -- I'm looking at the bill that was given to me
13 and it's 21 pages long.

14 REP. SKINDELL: Oh, this is -- I -- my
15 understanding is there's a dash 3 and I -- we don't
16 have it up on our iPads the last I looked and this is a
17 dash 2. I'll take a look at that --

18 REP. SEITZ: Right.

19 REP. SKINDELL: -- and -- and address it to
20 you offline when I get the appropriate bill.

21 REP. PETERSON: Thank you. And I will -- I
22 will add for the committee and everyone else, you know,

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1 certainly, I have a great appreciation for the -- the
2 staffs on both sides of the -- the House and the
3 Senate, the Democrats, Republicans that have a little
4 bit of their week- -- weekend got lost and I certainly
5 want to recognize them and appreciate the work that
6 they've done over the last few days.

7 And while I'm at it, I want to specifically
8 thank Riley Eberhart, my staff that has put together
9 this committee and we -- we are putting things up as
10 quickly as we can and certainly will -- and along with
11 that announcement, as you're checking your emails,
12 you'll find in your inbox that we have committee again
13 tomorrow at 11:00 o'clock and we will be -- have
14 everything in front of you and we'll be on the same
15 versions of the bill if we are not at this moment. So
16 are there other questions? Representative Grim.

17 MS. GRIM: Thank you, Chair. So among the
18 problems with this bill is the power it gives the
19 attorney general to investigate and limits ballot
20 initiatives as a statewide politician. So AG Yost is
21 often sued by ballot initiative efforts as himself been
22 named being a hindrance to the repeal efforts for House

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1 Bill 6 and federal trials. Are you worried about the
2 clear conflicts of interest this bill presents for the
3 AG?

4 REP. PETERSON: So you've addressed this
5 issue, you -- you may respond again.

6 REP. SEITZ: Yeah. Sure. Mr. Chairman,
7 Representative Grim, this does not deal with ballot
8 initiatives, this deals with foreign money.

9 There is no conflict in giving the attorney
10 general the authority to investigate and prosecute
11 violations of foreign money infecting any committee,
12 candidate committee, ballot committee, initiative
13 committee, referendum committee at the state level, no
14 conflict whatsoever.

15 REP. PETERSON: Follow-up? Representative
16 Brown with a question.

17 REP. BROWN: Thank you, Chair. The bill in
18 question is to modify the campaign finance law
19 regarding foreign nations and statewide initiatives and
20 referenda. In that regard, some people say that -- that
21 the bill would have a chilling effect on the work of
22 the committees in charge of ballot initiatives and

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1 referenda and the ability of these committees to get
2 citizen-led petit- -- petitions on the ballot. Do you
3 agree or disagree with that position?

4 REP. SEITZ: Well, Mr. Chairman,
5 Representative Brown, I think it's been evident from
6 what I've said that I would disagree with that, it has
7 no impact on that, except and to the extent that you
8 are taking foreign money.

9 REP. BROWN: Follow-up, Chair?

10 REP. PETERSON: Continue.

11 REP. BROWN: You know, I'm just a small-town
12 lawyer from Little Oak and Canal Winchester, but some
13 people are saying that this bill will be quickly
14 litigated and deemed unconstitutional infringement on
15 the free speech rights of ballot committees given how
16 ballot committees are treated with reverence under
17 federal law. Do you agree or disagree with that
18 position?

19 REP. SEITZ: Mr. Chairman and Representative
20 Brown, I disagree with that position, because the
21 Bluman case involved a ballot committee and the supreme
22 court ultimately affirmed the decision of the three-

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1 judge panel, that indeed we did have the power to
2 regulate that because the -- because of the state's
3 interest in greater jurisdiction over foreign nationals
4 and that is entirely consistent with the opening
5 remarks that I gave where I quoted Laurence Tribe.

6 Now, he's not a small-town lawyer from Canal
7 Winchester, he's a big-time liberal lawyer from
8 Harvard, but that's what he thought.

9 REP. PETERSON: Representative Skindell with a
10 question.

11 REP. SKINDELL: Thank you, Mr. Chair.
12 Representative Seitz, with multiple versions of the
13 bill floating around, actually, the filed House Bill 1
14 has now shown up on the iPads and on the -- on that
15 bill, if you could refer to line 401 and 402, and this
16 is back to my discussion with you about the -- the mens
17 rea, the knowingly, and where -- for a -- a candidate
18 or a campaign committee knowingly solicit or accept a
19 contribution or expenditure from a foreign national.

20 My question to you, does that knowingly go to
21 just the acceptor solicit, meaning that if they don't
22 know who -- that it's coming from a foreign national

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1 but accept the contribution unknowing that it's coming
2 from a foreign national, that they could be prosecuted
3 or does it also have to -- you know that you're
4 accepting a contribution and that you know it's coming
5 from a -- a -- a foreign national?

6 REP. SEITZ: Well, again, Mr. Chairman,
7 Representative Skindell, I believe knowingly modifies
8 solicit or accept a contribution, expenditure or
9 independent expenditure from a foreign national. So I
10 don't know why we'd need to put knowingly in there
11 twice.

12 REP. SKINDELL: Well --

13 REP. PETERSON: Follow-up?

14 REP. SKINDELL: Thank you, Mr. Chair, because
15 sometimes courts come up with some strange
16 interpretations.

17 REP. SEITZ: [Inaudible]

18 REP. PETERSON: Okay. Other questions?

19 Representative Isaacsohn.

20 REP. ISAACSOHN: This will be a quick. Rep- --
21 does -- I also want to show you I've read the bill, but
22 -- because that was -- you weren't sure before, but I -

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1 - I can assure you I have multiple times. But my
2 question is you brought -- you have reference the
3 Professor Tribe letter a number of times.

4 Does this bill do what Professor Tribe is
5 saying, which is that if a corporation is largely owned
6 by foreign investors, they would not be able to invest
7 in either candidate or issue campaigns here in Ohio?

8 REP. SEITZ: Well, the -- Mr. Chairman and --
9 and Representative Isaacsohn, that was part of the
10 original Senate Bill 215 where it was requiring these
11 corporations to have segregated funds to the extent
12 they derive foreign revenues. That was all taken out by
13 the time we got to 114; okay?

14 So I don't think it does, but -- but it --
15 what -- what Tribe is saying is corporations under
16 Citizens United have certain rights and in his view,
17 those rights may be trumped when we are dealing with
18 foreign nationals. That was the thrust of his -- of his
19 letter. So to that extent, I agree with him.

20 REP. PETERSON: Other questions for the
21 witness? Oh, Representative Grim.

22 MS. GRIM: Thank you, Chair. I have one more

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1 question. So I want to go back to what Representative
2 Skindell was talking about, about knowingly soliciting
3 money from foreign nationals. So would that -- so I
4 believe maybe the Catholic Conference gets money from
5 the Vatican. So would that affect Vatican money?

6 REP. SEITZ: Mr. Chairman and Representative
7 Grim --

8 REP. PETERSON: You may respond.

9 REP. SEITZ: -- I don't know where the
10 Catholic Conference gets its money and I doubt that it
11 comes from the Vatican, but I just don't know.

12 REP. PETERSON: Seeing -- almost -- almost.
13 Representative Isaacsohn with another question.

14 REP. ISAACSOHN: Well, sorry, the que- -- this
15 --

16 REP. SEITZ: This is getting a little
17 ridiculous, Mr. Chairman.

18 REP. ISAACSOHN: -- the -- the -- well,
19 agreed.

20 REP. PETERSON: You may ask the question --

21 REP. ISAACSOHN: The question --

22 REP. PETERSON: -- on the bill.

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1 REP. ISAACSOHN: -- that Representative Grim
2 asked was if the money came from the Vatican or if
3 someone was in the church who was a foreign national
4 and knowingly gave the money, would they be subject to
5 investigation and ultimately prosecution under this
6 bill, not whether it happens, but if that happened --

7 REP. SEITZ: Remember, Member -- M- --

8 REP. ISAACSOHN: -- would -- would this bill
9 apply to them.

10 REP. SEITZ: -- Mr. Chairman --

11 REP. PETERSON: You've addressed it.

12 REP. SEITZ: -- I'm not going to speculate on
13 -- on hypotheticals, number one. Number two, I can tell
14 you that the Catholic Conference was fine with either
15 the language in 305 or with the language here. So if
16 they were worried about it, we would not be hearing
17 that they're fine.

18 REP. PETERSON: Seeing no further questions,
19 we'll move onto the other item on our agenda, House
20 Bill 2.

21
22

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21

22

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Exhibit J



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6 TRANSCRIPT OF VIDEO-RECORDED

7 TESTIMONY OF THE
8 OHIO HOUSE GOVERNMENT OVERSIGHT COMMITTEE

9 MAY 29, 2024

10 SPECIAL SESSION

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20 Job No.: 540606

21 Pages: 1 - 84

22 Transcribed by: Christian Naaden

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1

P R O C E E D I N G S

2

REP. PETERSON: We have two bills before us today. House Bill 1 for first hearing. We have several people presenting in person testimony and there's extensive written testimony. Our first presenter today is Dr. Arthur Lavin. Dr. Lavin, thank you for joining us today. We look forward to your testimony.

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DR. LAVIN: Thank you, Sir. Chairman Peterson, Vice Chair Thomas, Ranking Member Humphrey, members of the Government Oversight Committee, thank you for the opportunity to write opponent testimony today on House Bill 1.

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My name is Dr. Arthur Lavin. I'm a retired pediatrician and head a group of 400 physicians in Greater Cleveland who are devoted to the just provision of healthcare. I got involved in this issue some time ago because as a doctor, and representing a group of 400 doctors, we were concerned that laws passed by this general assembly and supported by this administration put the lives of the patients we care for at risk.

And so, we organized to help citizens have a voice in this question. And that led, of course, to the

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1 well-known event of Issue One last year. This
2 represents over a 100-year tradition, over a century
3 tradition in the State of Ohio that is highly valued
4 and cherished over the years.

5 And we, as a group of physicians, were
6 dismayed to see attempts made last year over and again
7 to stifle the voice of the people to somehow inhibit
8 the process of a system led ballot initiative.

9 The people's voice was heard, and resoundingly
10 so. Large majorities came out and said we wanted to
11 vote at a 50 percent majority and a large majority came
12 out and supported the amendment of the constitution.

13 I'm here today because I've heard recently
14 that bills have come to the floor, in particular this
15 one, House Bill 1 that would, once again, try to impede
16 the voice of the citizen in protecting their ability to
17 speak in the process of a ballot initiative.

18 And I'm concerned as a physician that, once
19 again, we will face a general assembly that will put
20 lives at risk with legislation that could do that. And
21 if the people's voice is inhibited from protecting
22 their own lives, that's something I think every doctor

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1 should be concerned about. And that's why we're here.

2 We're concerned about House Bill 1 for three
3 particular reasons. The first is that it requires that
4 people who sign a petition for ballot initiatives in
5 the future disclose their signature publicly.

6 And we know today the risk that citizens have
7 in disclosing their activities publicly. I think
8 there's no doubt in my mind this would have a chilling
9 effect on people signing partitions, participating in
10 the democratic, small d, process.

11 The second is an increase in financial
12 liability for participating. I lead a group of 400
13 doctors. I actually don't know the nationality of each
14 of these physicians. I don't know the nationality of
15 their spouses. Many of them contribute to ballot
16 initiative efforts.

17 I don't like the idea of myself being
18 financially liable or any of my members of my
19 organization or other citizens of Ohio facing financial
20 liability if it happens that someone they're connected
21 with isn't a U.S. citizen.

22 Again, I see the threat being addressed by the

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1 bill, having to do with undue influence from foreign
2 nations but I think an unintended consequence that is
3 significant would be chilling the ability of people who
4 are here legally, with a green card let's say,
5 participating in the democratic process by facing
6 financial liability that would be created by this law.

7 And the third point is that the bill elevates
8 the level of investigation for questions about
9 participating in the democratic process, this cherished
10 process, of the ballot initiative that we -- we love in
11 the State of Ohio.

12 It elevates investigation to the level of the
13 Ohio Attorney General as opposed to a -- a local
14 investigation. So, in summary, the Doctors of Northeast
15 Ohio have their eyes open to the actions of you, our
16 representatives, the Ohio General Assembly and here at
17 the House of Representatives.

18 And we're concerned about an actual intent,
19 perhaps, being part of this effort with House Bill 1 to
20 silence or dampen the voice of the citizen.

21 The citizens, though, are watching and as many
22 of their doctors, we appear in testimony before this

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1 important committee of the Ohio House of
2 Representatives, to call on this crucial bastion of
3 democracy, this Ohio House, to reject all attempts to
4 silence the voice of its citizens and the core of the
5 purpose of democracy. Thank you.

6 REP. PETERSON: Thank you for your testimony.

7 Are there questions for the witness?

8 DR. LAVIN: Thank you.

9 REP. PETERSON: Representative Isaacsohn.

10 REP. ISAACSOHN: Thank you, Chair. Thank you
11 so much doctor for being here today and for all of your
12 advocacy on behalf of your fellow citizens of the
13 state. I want to start with, do you have a sense that
14 it's clear what this bill would do or -- or how it
15 would impact the members of your organization?

16 Do you have a sense that it's very obvious and
17 clear what the punishments would be? What the nature of
18 the investigations would be? Or is it confusing at all?

19 DR. LAVIN: I would -- it's completely
20 unclear. First of all, it's happening very rapidly. I
21 don't think most of our members have had a chance to
22 read the proposed legislation. And when I do read it,

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1 it's not clear at all what my liability would be if I
2 continue to participate in our democracy.

3 REP. PETERSON: Continue.

4 REP. ISAACSOHN: Thank you. That's -- that's
5 what it sounded like from your testimony. So, I want to
6 dive into some of the ways in which that lack of
7 clarity could impact the members of your organization.

8 So, for example, let's say there's a member of
9 the organization, a doctor, who wants to get involved
10 politically but, you know, not but, but they have a
11 spouse who is a foreign national who is not a citizen
12 of the United States, cannot contribute to political
13 campaigns.

14 They have a co-mingled account but the
15 physician in question wants to participate, wants to
16 make their voice heard politically with your group. Do
17 you think this bill is clear to them what would be
18 limited and how they might be investigated and what
19 they'd be liable for?

20 DR. LAVIN: I suppose I should say, through
21 the Chair to the representative, no, it's not clear at
22 all. I think -- I mean, let's face it, doctors aren't

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1 politicians. We're not involved in the legal process at
2 all.

3 When we hear that there's going to be
4 liability for some types of participation, and the
5 types aren't carefully delineated, that frightens
6 people. People are getting scared enough as it is to
7 speak up. This only -- this bill, I think, only
8 heightens that sense of fear.

9 And the fact that it's not clear is a -- is a
10 very powerful tool to scare people from participating.

11 REP. PETERSON: Continue.

12 REP. ISAACSOHN: So, given the -- the
13 uncertainty, the fear, the confusion you're describing,
14 looking both back at the political activity that has
15 taken place in your group and looking forward to any
16 future political activity, do you think this bill, as
17 drafted, would hinder political activity?

18 Would make people less likely to have
19 participated in the past or participate in the future,
20 given the fear and uncertainty?

21 DR. LAVIN: So again, through the Chair to the
22 representative, I'm deeply concerned about that. I'm

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1 glad you asked that question, Representative Isaacsohn.

2 The -- I -- I feel it myself and I'm very involved. I'm
3 head of the organization. And I'm here. So, I'm not
4 frightened to participate, obviously.

5 But this bill frightens me because there are
6 hidden liabilities. Hidden liabilities always cause
7 fear. When we grant the state power to hurt a citizen
8 and -- and those powers aren't well known by the
9 citizen, then a citizen like me and the doctors in my
10 group will be frightened, more frightened to
11 participate.

12 And I actually have a concern about whether
13 that's one of the not so unintended consequences
14 because of the actions taken by the government, by the
15 state of Ohio, last year, which clearly organized to
16 try to decrease the power of the citizen's voice.

17 So, we saw that intent in clear light last
18 year. I'm not sure why we wouldn't be concerned that
19 similar motives might be operating here on House Bill
20 1.

21 REP. PETERSON: Representative Skindell with a
22 question.

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1 REP. SKINDELL: Thank you, Mr. Chair. Thank
2 you doctor for your testimony today. I don't know if in
3 the -- the issues that you've dealt with -- the ballot
4 issues that you've dealt with if there's been campaign
5 violations that gone before the elections commission.

6 And normally under today's procedure, without
7 any changes of the law that we see here, the campaign
8 commission would work with the -- the committee
9 to try to resolve any issues.

10 And sometimes just the -- there's no referral
11 to any prosecutor. There's just sometimes they work
12 out the issue or the commission may impose a small fine
13 or something like that. Have you had any of those
14 dealings with the commission?

15 DR. LAVIN: Through the Chair to the
16 Representative, no, Sir.

17 REP. SKINDELL: Okay.

18 DR. LAVIN: The -- yeah, no. In fact, we've
19 never actually anticipated any such interventions.
20 Everything we do is pretty simple and straightforward
21 in terms of contributions and participation in the
22 democracy.

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1 We've never really had to think about
2 violating those things. Hasn't come up as something
3 we're worried about. And it's never happened.

4 REP. PETERSON: Follow up?

5 REP. SKINDELL: Okay. Not at this time. Thank
6 you, Mr. Chair.

7 REP. PETERSON: Other questions for the
8 witness? Chair has one quick question. So, yesterday in
9 committee when the sponsor was here, a lot of these
10 points that you talked about were discussed yesterday
11 with the sponsor. He recognized that, you know, those
12 issues are being worked on.

13 Would your organization have a problem with a
14 bill that very simply said, you know, no foreign money,
15 matching the law that all of us, you know, as
16 candidates can't take foreign money. If it was -- if it
17 was simply ballot initiatives matching that, would your
18 organization have a concern with it?

19 DR. LAVIN: I'd have to take a look at the
20 specific language. You know, as we all know --

21 REP. PETERSON: Sure.

22 DR. LAVIN: From years in -- in living under

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1 the law, devil is in the detail. So, I wouldn't be able
2 to comment on a bill that hasn't been drafted yet.

3 REP. PETERSON: But the concept -- the concept
4 simply matching ballot initiative language to the laws
5 that we're under -- that we operate under that have
6 been in existence for years, would that be a -- the
7 concept. Does the organization have a problem with it?

8 DR. LAVIN: Well, I think the phrase that
9 catches me is foreign money. So, as a physician, I'm
10 not really in a position to say what that means. I'd be
11 relying on you all to tell me what it means. But
12 depending on what it means, I'd have a different
13 response.

14 REP. PETERSON: Okay. Thank you. Appreciate
15 you traveling down today. Oh, I'm sorry. Representative
16 Brown has a question.

17 REP. BROWN: Thank you, Chair and thank you
18 doctor for your testimony here today. In your written
19 testimony you indicate that it is obvious, you say,
20 that the bill is not intended to respond to possible
21 interference from Russia, China or Iran.

22 If they were, they would block their

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1 interference in all ballot initiatives, including those
2 initiated by Ohio's General Assembly. So, you -- you
3 make a distinction between ballot initiatives, which
4 are created by citizen led petitions versus those
5 emanating from the -- from the General Assembly.
6 Correct.

7 And this bill doesn't deal with ballot
8 initiatives coming from the General Assembly. Is that
9 Correct?

10 DR. LAVIN: So, through the Chair to the
11 Representative -- I should have said through the Chair,
12 initially --

13 REP. PETERSON: You're doing great.

14 DR. LAVIN: So, what I was getting at in the
15 written testimony was that the bill raises the question
16 about threats of interference from other nations, is
17 the way it seems one of the intents of the bill is.

18 But as I understand the way the bill is
19 currently drafted, it would touch on people who have
20 nothing to do with foreign governments' activities. So,
21 you could have a doctor married as the Representative
22 Isaacsohn referred to, married to a foreign citizen,

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1 has a green card, here legally.

2 The bill might make it illegal for them to --
3 for that doctor who is a citizen to contribute if his
4 spouse is a foreign citizen. So, it -- it -- it goes
5 beyond protecting the United States in this process
6 from the impact of foreign governments and therefore in
7 government -- governmental policies.

8 If -- if that is the concern, so, the first
9 question is why expand it to any foreign national --
10 that concern? And then the second point is, if -- if
11 there's that deep a concern about the influence, and I
12 would say -- I'm not making the distinction between
13 ballot initiatives and other campaigns or political
14 events.

15 If -- if the Ohio House sees foreign national
16 influence as harmful, why isn't the bill -- why is it
17 focused on ballot initiative not all political process?

18 REP. PETERSON: Other questions for the
19 witness? Thank you for traveling down and joining us
20 today.

21 DR. LAVIN: Thank you, Chair.

22 REP. PETERSON: Next, we have Spencer Dirrig

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1 with Ohio Environmental Council. Thank you for being
2 with us today.

3 MR. DIRRIG: Good morning, Chairman. Just one
4 slight correction, Ohio Environmental Council Action
5 Fund.

6 REP. PETERSON: Oh, I'm sorry. Thank you.

7 MR. DIRRIG: It's the organization I'm here
8 representing today.

9 REP. PETERSON: Thank you for clarity.

10 MR. DIRRIG: Thank you. Good morning, Chair
11 Peterson, Vice-Chair Thomas, Ranking Member Humphrey
12 and members of the Ohio House Government Oversight
13 Committee. Thank you for the opportunity to testify
14 before this committee today on House Bill 1,
15 legislation on campaign finance law regarding foreign
16 nationals and statewide initiatives.

17 I am Spencer Dirrig. I'm proud to serve as the
18 director of the Ohio Environmental Council Action Fund
19 representing citizens across the state of Ohio who care
20 about our environment and our democracy.

21 At the Ohio Environmental Council Action Fund,
22 we know that a healthy and inclusive democracy is

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1 essential for a healthy environment. We oppose
2 legislation designed to restrict the power and freedom
3 of Ohioans to organize and participate in the
4 democratic process.

5 The voices being silenced by this legislation
6 belong to real people who genuinely desire to improve
7 their communities. My grandparents took the very little
8 money they had and brought my mother to this country
9 because they believed America was a shining beacon of
10 freedom and democracy.

11 Unquestionably, becoming a United States
12 citizen was truly the best day of their lives and they
13 treasured that accomplishment immensely. But that
14 process is long and arduous.

15 They spent eight and 14 years, respectively,
16 in this nation before becoming citizens. And throughout
17 that time, they donated to non-profit organizations.
18 They organized community members to support one
19 another. And they supported issues that they cared
20 deeply about.

21 This legislation is antithetical to the
22 democracy that my family and many others came here to

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1 experience. The OEC Action Fund supports disclosure and
2 transparency in campaign finance, whether regarding
3 ballot initiatives or electoral candidates.

4 Such disclosure requirements should be evenly
5 applied to all organizations ensuring transparency in
6 Ohio's elections. And those disclosure requirements
7 should not be designed around targeting immigrants and
8 the organizations they support.

9 HB 1's language creating alternative political
10 organizations and their associated disclosure
11 requirements are not actually about ballot initiative
12 transparency. They are designed to chill grass roots
13 organizations supporting ballot initiatives and punish
14 them for inclusively working with their communities.

15 If this body would like to truly improve
16 transparency by increasing disclosure across the board
17 for organizations and individuals that engage in
18 political expenditures, we'd surely welcome that.

19 This legislation, on the other hand, is a
20 targeted effort to attack a small subset of
21 organizations and individuals and it's being presented
22 in bad faith. It's crucial to note that the

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1 contribution of foreign money to influence domestic
2 elections is already illegal under federal law and
3 these restrictions already apply to state elections.

4 However, HB 1 goes beyond these necessary
5 measures and instead it aims to impose complex, broad
6 and unclear restrictions on local, citizen led
7 organizations that support ballot initiatives.

8 Non-profit organizations, including those that
9 support environmental causes, receive donations from a
10 variety of sources. This legislation, if enacted, would
11 not only stifle the voices of Ohioans but would also
12 hinder their ability to support causes that directly
13 impact them.

14 Donations from foreign sources in other
15 countries are already regulated by federal law. Any
16 legislative -- legislation specifically targeting those
17 sources would be duplicative. Thus, this bill is
18 unnecessary for a more narrowly tailored purpose and in
19 broad form restricts the first amendment rights of all
20 Ohioans.

21 Of import, U.S. residents who are not yet U.S.
22 citizens are still afforded rights under the U.S.

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1 Constitution including their first amendment rights. As
2 demonstrated during the August special election last
3 year, Ohioans cherish their right to use ballot
4 initiative when necessary to make changes in our state.

5 They are ready and willing to act in defense
6 of our democracy. This bill should be called what it
7 is, an attack on Ohioan's rights to organize. Given the
8 negative implications of HB 1, we strongly urge members
9 of the Ohio House Government Oversight Committee to
10 vote against this bill.

11 It's crucial that we protect the rights and
12 voices of all Ohioans. Thank you for the opportunity to
13 address this body on such an important issue.

14 REP. PETERSON: Are there questions for the
15 witness? Representative Isaacsohn.

16 MR. ISAACSOHN: Thank you, Chair. Thank you,
17 Spencer, for coming in today and giving such
18 impassioned testimony. My question revolves around some
19 of the discussion that you brought up around how this
20 might impact people's ability or willingness to
21 participate in political activity that they are driven,
22 you know, in issues that they care about.

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1 So, are there -- I'll just start with are
2 there members of the organization or folks who've been
3 involved in grassroots organizing with you guys that
4 have relatives that are foreign nationals?

5 MR. DIRRIG: Absolutely. Yes. We have many
6 Ohioans who have relatives who are foreign nationals
7 who are actively engaging, whether it be in signature
8 collection for ballot initiatives, supporting them
9 financially or sharing information with their neighbors
10 and communities.

11 REP. PETERSON: Continue.

12 MR. DIRRIG: Oh, sorry. Through the Chair to
13 the Representative.

14 MR. ISAACSOHN: Is it possible then, let's say
15 there's a young college student who, you know, is
16 motivated to participate. Sees what's happening in the
17 state. Wants, you know, to get involved in a political
18 issue campaign, you know, to protect the climate.

19 And recently they had a birthday. Their
20 grandparent, who is a foreign national, gave them \$200
21 for their birthday as a gift. And then a few weeks
22 later they wanted to get involved politically.

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1 They spent \$200 on a -- a few poster -- a
2 bunch of posters for them and their friends and really
3 nice markers. I don't know how you get to \$200 with
4 arts and crafts but I'm sure it's possible.

5 And they then took those and went to a rally
6 in support of an issue. Do you think they would have a
7 clear understanding of whether that constituted an
8 independent expenditure, whether that constituted an
9 indirect contribution from a foreign national to a
10 ballot initiative or a state issue campaign. Like, what
11 do you think they -- what might be the impact of this
12 bill on that type of political activity?

13 MR. DIRRIG: Mr. Chairman, Representative,
14 they absolutely would not have a clear indication or
15 understanding of what the liability of being involved
16 in this process or, frankly, in any advocacy whatsoever
17 could be.

18 The reality is not only would they not have an
19 indication or understanding of what the liability is,
20 the organization, who is working with them, certainly
21 does not have an understanding based on the way the law
22 is written right now on how this law would be enforced

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1 and certainly where you draw the line on foreign
2 nationals having combined bank accounts, being able to
3 engage in the process.

4 It puts a huge chilling effect not only on the
5 individual, who may be a foreign national, but people
6 who are associated with that foreign national and on
7 organizations that have the audacity to try and
8 organize people in the State of Ohio.

9 REP. PETERSON: Continue.

10 REP. ISAACSOHN: So, given all of that, do you
11 think this bill, as drafted or likely, you know, the
12 spirit of the bill even if it shifts a little bit over
13 time. What do you think the impact will be on
14 grassroots organizations and the ability for people,
15 particularly new to the political process, to feel
16 comfortable and safe getting involved?

17 MR. DIRRIG: By putting up a -- oh, to the
18 Chairman, through him to the Representative through the
19 Chairman, apologies. I strongly believe that by putting
20 up these broad, unspecific, and frankly confusing
21 restrictions and empowering the Attorney General to
22 enforce them in a very, very heavy way, will certainly

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1 put a chilling affect on the right of Ohioans to be
2 able to engage in our democratic process.

3 And it will also, because of the increased
4 regulatory burden, the need to create new disclosure
5 frameworks and tax frameworks will certainly cause a
6 massive chilling affect on organizations all across the
7 state of Ohio and across the political spectrum, who
8 want to have a hand in our democratic processes.

9 REP. PETERSON: Representative Brown with a
10 question.

11 REP. BROWN: Thank you, Chair. Thank you, Mr.
12 Dirrig, for your testimony as well. I take it from your
13 testimony that you believe the initiative is a form of
14 direct democracy, which is important to the people of
15 Ohio. Is that correct?

16 MR. DIRRIG: To the Representative, through
17 the Chairman, absolutely. Democracy is -- is crucial to
18 advancing a fair and healthy environment.

19 REP. BROWN: The initiative has been part of
20 the Ohio constitution since the constitutional
21 convention of 19 -- the Ohio constitutional convention
22 of 1912 at which former Republican President Theodore

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1 Roosevelt spoke, eloquently, in a famous speech called
2 A Charter of Democracy. And in that speech Roosevelt
3 said the following, I want to quote him.

4 In short, I believe that the initiative and
5 referendum should be used, not as substitutes for
6 representative government, but as methods of making
7 such government really representative.

8 Action by the initiative or referendum ought
9 not to be the normal way of legislation, but the power
10 to take it should be provided in the constitution, so
11 that if the representatives fail truly to represent the
12 people on some matter of sufficient importance to rouse
13 popular interest, then the people shall have in their
14 hands the facilities to make good the failure.

15 And he went on, provide by the initiative and
16 referendum that the people shall have power to reserve
17 or supplement the work of the legislature should it
18 ever become necessary.

19 Do you agree with those sentiments of Teddy
20 Roosevelt, one of the most famous Republican Presidents
21 of all time?

22 MR. DIRRIG: To the Representative through the

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1 Chairman, I absolutely do. Direct democracy is a
2 cornerstone of this state and frankly, of the democracy
3 that we all enjoy.

4 One of my -- when I think back on the
5 importance of democracy in this state and why I'm
6 standing here, frankly, my late grandfather, who came
7 here from India would tell me that, you know, after
8 growing up in partition and under British Colonial
9 rule, democracy was crucial, not because it was a goal
10 to achieve, in and of itself, but because it was a
11 tool, a path to justice.

12 And the reality is is that when we see
13 injustice happening, democracy is an opportunity. It is
14 a path to be able to seek justice.

15 And by putting barriers in the way of Ohioans,
16 who are trying to use that process to make progress,
17 whether you agree with the issue that they're working
18 on or not, it is antithetical to our democracy and puts
19 a chilling affect on advocacy across the state.

20 REP. PETERSON: Any questions? Representative
21 Skindell.

22 REP. SKINDELL: Thank you, Mr. Chair. Thank

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1 you for your testimony today. One of the most
2 concerning parts of the legislation before us is the
3 mandatory referral to the Attorney General's Office of
4 any candidate committee, statewide committee, any of
5 the other committees named, including, it would be the
6 how our own Environmental Council Action Fund, if
7 there's any violation.

8 And that's different than what current law is
9 because the current law is it goes before the
10 Election's Commission. The Election Commission will
11 investigate and hold a hearing. And they don't
12 necessarily need to prosecute, need to fine.

13 In fact, they could enter an order just
14 saying, yeah maybe there's been a violation. We don't
15 find it necessary to impose a fine or -- or to further
16 prosecute. And they try to resolve it with the -- the
17 current committee.

18 This legislation radically changes that. The
19 commission must, if there's a violation, the commission
20 must refer it to the Attorney General's Office. And I'm
21 -- I'm, kind of, curious as to what your -- your
22 thoughts are with regard to that mandatory referral of

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1 all these various committees to the Attorney General's
2 Office.

3 MR. DIRRIG: To the Representative through the
4 Chairman, to be very clear, this is the crux of the
5 chilling affect that is -- is engaging -- is -- is the
6 goal here. As an organization if we are signing
7 ourselves up for being referred to the Attorney
8 General, which is a partisan act, regardless of whether
9 they're a Democrat or a Republican.

10 It's a partisan position. Signing ourselves up
11 to be referred to the Attorney General simply by being
12 engaged in any way and about an initiative where one
13 other organization may or may not have taken money from
14 certain person who is not a resident of the United
15 States but is a -- oh, I'm sorry, is not a citizen of
16 the United States but is a resident of the United
17 States and being forced to undergo that legal action is
18 absolutely a chilling effect.

19 Every decision we make as an organization is a
20 balance between opportunity and liability. We are
21 vastly increasing the liability of being involved in
22 the democratic process in this legislation. And it will

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1 absolutely have a chilling effect on the ability from
2 our organization and others across this state to be
3 engaged in this process.

4 REP. PETERSON: Other questions? I have two
5 quick questions if you would allow.

6 MR. DIRRIG: Thank you, Chair.

7 REP. PETERSON: Does the Ohio Environmental
8 Council Action Fund make donations to candidates in
9 Ohio?

10 MR. DIRRIG: The Ohio Environmental Council
11 Action Fund does not make any donations to candidates.
12 No, Sir.

13 REP. PETERSON: Thank you. That takes care of
14 my second question also.

15 MR. DIRRIG: Alright. Well, thank you so much.

16 REP. PETERSON: Thank you for being with us
17 today.

18 MR. DIRRIG: Thank you for the opportunity.
19 Appreciate it.

20 REP. PETERSON: Next, we have Laura Irvin
21 presenting an opponent testimony. Thank you for joining
22 us today.

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1 MS. IRVIN: Thank you. Chair Peterson, Vice
2 Chair Thomas, Ranking Member Humphrey, members of the
3 Government Oversight Committee, thank you for the
4 opportunity to testify in opposition to House Bill 1.

5 My name is Laura Irvin. I live in Lorain
6 County. I am a believer in democracy. I want to address
7 several points in this bill. Foreign money in our
8 elections is already prohibited under federal law.

9 There is an Ohio Elections Commission advisory
10 letter stating that the federal law applies to Ohio.
11 Surprise. Surprise. This is unnecessary. Trying to pass
12 a bill or a law that already exists is a waste of time
13 and a waste of taxpayer money.

14 It will not solve the problem. Foreign
15 nationals who want to contribute millions to ballot
16 issue campaigns will simply donate the money to
17 501(c)(4)'s. Ohio does not require 501(c)(4)'s to file
18 anything about how they raise money, the names of their
19 donors, their addresses, their dollar amounts or the
20 connections between their companies and their
21 campaigns.

22 If you're serious -- if you're truly serious

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1 about wanting to remedy the -- remedy this problem,
2 adopt House Bill 112, The Anti-corruption Act, which is
3 sponsored by Reps Miranda and Sweeney.

4 But, of course, to do that you're going to
5 have to give it more than one hearing. This bill has
6 been introduced many times in the last 10 to 12 years.
7 The emergency clause in the legislation is unwarranted
8 unless it's targeting citizens not politicians or other
9 ballot issues.

10 Those of us who want fair districts, which is
11 the majority of Ohioans, we know what you're up to. You
12 prefer unconstitutional maps that give you a super
13 majority. As the Capital Journal wrote, it would
14 require all groups rallying -- rallying for a cause
15 that a receiving donation to spending money to register
16 is past.

17 This means that each group would have to file
18 disclosures with the government. And it could make it
19 more difficult to collect signatures to get a proposal,
20 say for a township ballot.

21 You want to make it harder to pass ballot
22 initiatives in Ohio, which are the true voice of the

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1 people. And remember, this will have a chilling effect
2 not on just our petitions, but all citizens led
3 positions even those that Republicans are for.

4 So, we know you're trying to silence our
5 voices. The most egregious part of this bill is
6 stripping the enforcement of the legislation from the
7 county prosecutors to under the purview of the Attorney
8 General's Office.

9 We have an activist Attorney General and we
10 know what she will pick and choose to prosecute. And I
11 would also like to say, just for the record, because
12 the Ohio legislature couldn't get their stuff together,
13 the DNC announced that it will be holding a virtual
14 meeting to officially nominate Joe Biden as their
15 candidate for president.

16 We'll make sure that he is on the ballot. And
17 I tell you, this is an embarrassment. I'm originally
18 from Texas and people from Texas are calling me and
19 talking to me about this. It's a shame. It's a shawda
20 [ph]. And it's really unbelievable that you all
21 couldn't get your stuff together.

22 Open for questions.

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1 REP. PETERSON: Are there questions for the
2 witness? Representative Brown.

3 REP. BROWN: Thank you, Chair and thank you,
4 Ma'am for your testimony today. One of the issues I
5 have with the bill in particular is the -- giving power
6 to the Attorney General over local county prosecutors.

7 In -- in that provision of the -- of the House
8 Bill 1 provides that the Ohio Election Commission shall
9 refer the matter to the Attorney General except that if
10 the -- except in cases where the Attorney General is a
11 victim or a witness or -- quote, otherwise involved in
12 the matter, quote.

13 So, I asked the sponsor yesterday in this
14 committee what does otherwise involved in the matter
15 mean. And he basically said, well, it means that the
16 Attorney General polices himself. So, that basically
17 tells me there's no oversight of the Attorney General's
18 decision as to whether or not he is involved otherwise
19 in the matter at hand.

20 And we would be left to the whim of the
21 objectivity of the Attorney General with regard to
22 potential recusal by the Attorney General of the

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1 Attorney General from these matters. Do you believe
2 that that is a sound and politically astute way of
3 doing things?

4 MS. IRVIN: Through the Chair to the
5 Representative, that's crazy. I mean, what can you say?
6 We have so many politicians in this state, in this
7 country, some of who are in prison because they have
8 been the ones who are -- I'm trying to think of the
9 word. They're the ones who have been regulating
10 themselves.

11 REP. PETERSON: Representative Skindell with a
12 question.

13 REP. SKINDELL: Thank you, Mr. Chair. You
14 brought it up in your testimony about the power being
15 transferred to the Attorney General. And this is
16 somewhat in follow up to the questioning by
17 Representative Brown, also.

18 So, under the current system of election law,
19 you may be aware of, if something is referred to the
20 commission for a possible election law violation the
21 commission takes a look at it. They may find that
22 there's not enough evidence or not enough grounds to

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1 pursue a matter and just dismiss it.

2 If they find that okay, maybe there was a
3 violation, they can find good cause not to impose a
4 fine or anything but get it resolved with the -- the
5 particular committee. They can issue an order imposing
6 a fine or refer it to the county prosecutor.

7 That's the -- kind of, the steps in what --
8 what they need to do. The change in the law, which is
9 the most radical provision of House Bill 1 is referring
10 all these matters with regard to these candidate
11 committees, the committees for the state office
12 holders, these -- all the -- the issue committees out
13 there.

14 Is all these matters divest the -- divest the
15 Election Commission from hearing them and transfer them
16 to the Attorney General's Office and then grant the
17 Attorney General unprecedented powers that we don't see
18 in the Ohio General -- Ohio Attorney General normally.

19 And the provision of the code says, the
20 Attorney General may prosecute the matter with all the
21 rights, privileges and powers conferred by law on
22 prosecuting attorneys including the power to appear

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1 before a grand jury and interrogate witnesses before
2 the grand juries.

3 The powers of the Attorney General are in
4 addition to any other applicable powers of the Attorney
5 General. What do you think the -- might be the chilling
6 effect on all candidates in these issue committees and
7 candidate committees by having just even minor things
8 being sent to the Attorney General, who's granted all
9 these -- these exclusive powers?

10 MS. IRVIN: Through the Chair to the
11 Representative, they want to silence us. That's the
12 intent. That's the exact intent of this. They don't
13 want us involved. They want to keep their super
14 majority. They want to do what they want to do. They
15 want to get their money from lobbyists. And they want
16 to silence us.

17 REP. SKINDELL: Mr. Chair.

18 REP. PETERSON: Follow up. Shorter -- shorter
19 question if possible.

20 REP. SKINDELL: Thank you. Do you think that
21 this then will instill a highly political process in
22 pursuing election law violations with regard to these

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1 committees?

2 MS. IRVIN: Through the Chair to the
3 Representative, absolutely.

4 REP. PETERSON: Are there questions for the
5 witness? Thanks for being with us today.

6 MS. IRVIN: Thank you.

7 REP. PETERSON: Next, we have D.J. Byrnes with
8 opponent testimony. Sir, thank you for joining us.

9 MR. BYRNES: Thank you, Chair Peterson, Vice
10 Chair Thomas, Ranking Member Humphrey. I'm here
11 speaking today on HB 1. Let's see, you know, like, I've
12 come to -- I've come to like some of you guys,
13 personally. You know, the problem I have is when you
14 guys get together, and you start conspiring.

15 You know, the hob gob of blood gets boiling in
16 you. And, you know, I blame -- part of this blame that
17 we're even talking about this lies with the National
18 Democratic Party. They should have seen this train
19 coming as far back as February.

20 I mean, they were told. You can always make
21 money in this industry by betting on the worst on you
22 guys. By betting on the worst. And I know the blame

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1 also extends to Governor Sleepy T, who last I heard
2 was, you know, some L.A. County retirees are trying to
3 get him under oath for his involvement in HB 6.

4 Some of the blame goes with him. And a lot of
5 the blame goes with Senate President Tim McVay Jr., his
6 super gimp Rob McColley. And just the Macanations that
7 the Ohio Senate has engaged in. So, like, kudos to you
8 guys.

9 I mean the most flavored offenders, obviously,
10 are not in this room. But, you know, kudos to you guys.
11 Rep Oelslager, you pointed it out last night with my
12 guys [inaudible]. You said, you know, the way the
13 Senate is engaging in this bill is completely un-
14 democratic, against the rules.

15 And what do they do, in typical mafia style,
16 they rammed it through. You know, and you guys are at
17 least here combining it. And I get that. But, you know,
18 the blame also goes on you guys for trying to go, like,
19 even getting this into the [inaudible] in the first
20 place. Sorry to cuss. Didn't mean to do that.

21 This is nothing more than just, like, an
22 attack on statewide ballot initiatives and groups who

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1 are in the middle of campaigning for a legislative
2 amendment that will finally break up your little yunta
3 [ph]. I learned how to pronounce that word correctly
4 the other day.

5 You guys don't have it going on in the state
6 level. Like, you guys can pretend this is about oh,
7 democracy and oh, for money. Like, it was no Swiss
8 boller that subjugated every level of state government.
9 A Swiss boller didn't do that. A Swiss boller didn't do
10 H the largest extorsion scheme to date history that we
11 know about that has left two lobbyists dead.

12 That wasn't a Swiss boller. That was our own
13 government, First Energy, who is still in business. You
14 guys haven't done anything. Not one word. Any time I
15 try to talk to you about HB 6 it's all sucks, I'm just
16 a farmer. Oh, I don't know, I haven't read the latest
17 updates.

18 Well, I have. You know, nobody wants to talk
19 about it. And, like I said, this committee is not the
20 most flagrant offenders. Nobody in this room is a
21 flagrant offender. It's when you all get together. And
22 I'm just asking you, for once, have some respect for

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1 yourself.

2 Why are we going along with Tim McVay Jr. and
3 his super gimp when they just want to get up there and
4 they want to cry about, oh for money this, for money
5 that. You know it's nonsense.

6 So, I'm urging you guys, and I heard maybe
7 this is a possibility where you're going to, you know,
8 shuttle this one and promote the -- the clean fix
9 ballot bill. But, I mean, at -- at what point does it
10 end guys?

11 Because I mean, I'll tell you what, this is
12 the perfect -- you guys are putting a bow on this
13 ballot initiative that's going to end your guys' super
14 majority. And a lot of you guys won't be here. Because
15 Ohio -- Ohio's not a Republican state, right? It's a
16 hog state.

17 And the hog voters went three and 0 against
18 you guys last year. And because you guys don't know how
19 to campaign because a lot of you guys have deluded
20 yourselves into, you know, oh, my super majority, red
21 plus 40 district equates to political talent and
22 governmental knowhow.

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1 You guys are putting a bow tie on it for us.
2 And the hog voters are coming. In November it doesn't
3 matter. Donald Trump -- Donald Trump voters don't even
4 vote. So, you know, the hog voters are going to come
5 again.

6 So, I would just ask yourselves, you know, do
7 you want to have respect, or do you want the hog voters
8 to run wild on you either way? Because it's -- it's
9 going to be a win for me. So, sorry I got a little
10 excited there.

11 I'm obviously not talking to everybody in this
12 room. But you guys have a line to the people that are
13 in charge, and I'd appreciate it if you ran it up the
14 flagpole.

15 REP. PETERSON: Questions for the presenter.
16 Let's -- and let's try and focus on the bill that's
17 before us today, please. Representative Skindell.

18 REP. SKINDELL: Thank you, Mr. Chair. House
19 Bill 1 transfers a Trumpian style power from the
20 Election Commission to a single person in the Attorney
21 General, who is a political individual themselves to
22 prosecute all types of possible election law

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1 violations.

2 What's your -- your general thought about
3 consolidating that type of power and granting all this
4 prosecutorial power in the Attorney General in election
5 matters?

6 REP. PETERSON: Mr. Byrnes, if you -- if you
7 can do me one favor.

8 MR. BYRNES: Yeah. Keep it on the question.

9 REP. PETERSON: Of -- let's not be too
10 derogatory on specific individuals.

11 MR. BYRNES: Yeah.

12 REP. PETERSON: But share your opinion. Let's
13 -- let's be kind.

14 MR. BYRNES: So, I think, like, fundamentally,
15 our -- the founding fathers, you know, God bless them.
16 I think they erred in making our top cop -- our top
17 election officials, you know, partisan hacks,
18 basically.

19 And we've, kind of, seen how our state
20 government has toppled over a cliff in these last
21 couple years thanks to that. So, do I entrust giving an
22 elected, you know, theocrat more sway over our

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1 elections, more ways to poison the well and twist the
2 levers of power more in their favor.

3 It's -- it's just -- it's just the typical
4 nonsense that we've come to expect from these people.
5 You know, this is a -- this is fundamentally a question
6 about does the sitting United States President deserve
7 to be on the ballot in Ohio? In a state that Trump's
8 going to win.

9 And they got it diluted all the way down to us
10 talking about, you know, should we give Dave Yost more
11 power. Frankly, I think Dave Yost, and whatever people
12 come after him, they have enough tools as it is to go
13 after foreign money, which is already illegal.

14 So, why are we wasting our time here talking
15 about this. That -- that's what they want us talking
16 about. So, yeah. Sorry.

17 REP. PETERSON: Follow up. Continue.

18 MR. SKINDELL: Just briefly, Mr. Chair, thank
19 you. So, one of the other concerns I have is election
20 matters that go before the Elections Commission under
21 current law. They're under a time constraint. The
22 Election Commission must wrap them up within a certain

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1 period of time.

2 But it doesn't place any time constraint on
3 the Attorney General when he's prosecuting these
4 matters. So, it can go endlessly and -- and disrupt a
5 campaign committee for endless time. I was wondering if
6 you have any concerns about not placing time limits on
7 the Attorney General to resolve these matters.

8 MR. BYRNES: Yeah. I mean, it's always a
9 concern, right. It's -- and it's just how are they
10 going to use that power? How -- like, how -- what's the
11 worst case they could use that power?

12 I mean, would somebody like -- would the
13 Republicans be comfortable with somebody like me being
14 the Attorney General? Going to law school? Mail order
15 law degree? Twitter law? Being the Attorney General and
16 having those kinds of powers? No. They wouldn't.

17 And I think when you're talking about
18 something when it comes to our elections, the word
19 bipartisan used to mean something in this country. And
20 now it's, we see how far that word gets us around here.

21 REP. PETERSON: Other questions for the
22 witness? Representative Isaacsohn.

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1 REP. ISAACSOHN: Thank you, Chair. Thanks for
2 your testimony today. My question is just why do you
3 think, given your experience in this body, what do you
4 think is the reason for there to be a emergency clause
5 attached to this -- this bill?

6 MR. BYRNES: Because they couldn't even -- you
7 know, they couldn't even do it in their -- they
8 couldn't even do it in the proper time in their
9 legislative super majorities. So, here we are.

10 And they're trying -- they're trying to shift
11 some of the blame because they need some of the votes
12 in the other caucus. They're trying to shift the blame
13 to anybody else but themselves and make it seem like
14 it's a choice between, like, putting dark -- you know,
15 you stood with the dark money foreign billionaires.

16 When I get that will work in some circles in
17 this state where there's information deserts where
18 people don't subscribe to the rooster. You know, but,
19 like, the people that know what's -- the people that
20 know what's going on and the people that observe and
21 the people that have a functioning cerebral cortex can
22 see it's just a naked -- it's just another naked power

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1 play where super majorities aren't enough.

2 Having every statewide elected official beside
3 Sheriff Brown isn't enough. Having, you know, the
4 Governor's son on our Republican stacked supreme court
5 is not enough. We also have -- we also -- we have to,
6 like, they have to beat us and then they have to step
7 over your corpse and say F.U. on their way over. Why?
8 Because they can.

9 REP. PETERSON: Language please. My -- my
10 grandchildren may be watching.

11 MR. BYRNES: Yeah. You know, as far -- you
12 know, I use the French phrase F. But it -- it's just,
13 you know, it's the -- it's going. And the audacity, it
14 just never ceases. It will never be enough until it's
15 taken out of their hands entirely.

16 REP. PETERSON: Other questions for the
17 witness? Representative Swearingen.

18 REP. SWEARINGEN: I have to. Could you, Mr.
19 Chairman to the witness, could you explain for the
20 folks at home what an Ohio hog voter is?

21 MR. BYRNES: I mean the Ohio -- it -- we saw
22 the perfect example of the Ohio hog voter these last

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1 three elections. I mean, the Ohio hog voter is somebody
2 who, you know, is underpaid, overworked. Goes home.

3 Is -- you know, have -- has -- has bills --
4 has bills going crazy trying to manage stuff with
5 healthcare, childcare, you know, the underpaid check
6 from them employees. And they don't -- the hog voter,
7 they're probably an Ohio State fan. They might have
8 some opinions on January 6th.

9 But they don't take -- they -- the hog voter
10 at their core at least knows we're supposed to be upset
11 with you guys. That you guys have taken something from
12 us and that we should be angry about it.

13 Now, some on the right, you know, that get
14 into the little racism and the anti-immigrant stuff,
15 that's not very good. But at least they know they're
16 supposed to be angry. And they don't take their party --
17 -- they don't take their orders from the party elites.

18 And I think -- I -- you know, I do give the
19 Republicans a lot of credit for that even though it's
20 been to the detriment of our society at a whole. At
21 least their party is -- you know, at least they're
22 party voters, like, are the hogs.

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1 They understand the -- the power, you know.
2 Hogs together strong. And hopefully the Democratic
3 party can figure out how to tap into that because they
4 haven't been able to translate winning issues on
5 abortion, weed, should we dilute our own power at the
6 constitution, you know, in constitutional amendments.
7 They've been 0 and 3.

8 And so, I think the hog voters are going to be
9 looking at this issue. Because, you don't always
10 understand, you know, you guys don't want fair
11 districts. You guys have a pretty sweet gig. I get it.

12 And power and leverages gives itself away. But
13 you guys are setting yourselves up to be railroaded.
14 And not in a good way either, by the hog voters in
15 November. Because we -- you know, we already thought we
16 ended this stuff and yet here we are.

17 REP. PETERSON: Other questions for the
18 witness? Thank you for being with us today.

19 MR. BYRNES: Thank you.

20 REP. PETERSON: Next, we have Catherine Turcer
21 with an interested party testimony. Thanks for joining
22 us today.

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1 MS. TURCER: Good morning. I have to say, I'm
2 not exactly prepared to talk after that. So, thanks for
3 making it harder for me. Anyway, I did want to thank
4 you all for this opportunity to testify and for
5 creating a space for the public to weigh in on
6 legislation during this special session.

7 I want to be very clear that I, you know, I
8 appreciate the -- the process that the House is using
9 where we do have an opportunity to let you all know
10 what we're thinking and some of our concerns.

11 I was around for the special session in 2004,
12 much like Rep. Oelslager and I appreciate the, kind of,
13 doing this as House Bill 1. So, I just wanted to make
14 sure you all knew that.

15 So, I should introduce myself. I'm Catherine
16 Turcer from Common Cause Ohio. You know, for many years
17 I've been advocating for greater transparency in, you
18 know, Ohio's campaign finance system.

19 I spent a lot of time talking about, you know,
20 shining a light on dark money. And just the importance
21 of being able to follow the money. And -- and we all
22 know that money plays an outside role -- outsize role

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1 in elections.

2 And I strongly encourage you to consider how
3 you can make the system more transparent so that voters
4 are able to follow the money. They need to be able to
5 consider the source of information.

6 All you have to do is think back to House Bill
7 6 and Generation Now and the adds and if they had a
8 sense that that was funded by First -- First Energy,
9 they might have looked at those adds in a different way
10 and lobbied you all, you know, as the public in a
11 different way.

12 So, I think as we -- we -- we need greater
13 transparency also to root out possible shenanigans and
14 corruption.

15 Now, obviously, we're here today to talk about
16 foreign money. It is, of course, prohibited under an
17 opinion by the Ohio Elections Commission that
18 determined that Ohio statutory structure sufficiently
19 protects the involvement of any foreign national from
20 participating in or contributing to an issue or
21 question that will appear on Ohio's ballot.

22 Now, there's a benefit to actually taking time

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1 and crafting legislation that bans foreign money. I --
2 this -- this actually makes sense. You know, we can
3 look at what's happened in other states. They made a
4 decision to, kind of, slowly work through.

5 Because there are -- there are some real
6 challenges to doing this well. And you can imagine the
7 kinds of things that could come up. For example, let's
8 suppose I married, you know, I was married to a
9 Canadian and I gave a contribution to a candidate.

10 I don't give contributions to candidates but
11 suppose I did. He makes a lot more money than I do. Was
12 that money from a foreign source. And so, there are a
13 lot of things -- there are a lot of permutations and
14 so, we need to be thinking about, like, just real
15 clarity so that we're able to address -- you know,
16 we're able to address the best way to stop the kind of
17 worries that people clearly have.

18 Now, it's not clear to me that actually
19 foreign money has been part of Ohio, you know, ballot
20 campaigns. I want to be super clear about that. But, of
21 course, you know, if you don't have greater
22 transparency, you can't follow the money. So, you can't

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1 figure out if there was foreign money in elections.

2 So, at the end of the day, there is a real
3 benefit thinking about creating greater transparency.

4 Now, I do have some reservations about rushing such an
5 important, you know, important decisions.

6 And to ensure that we're -- we're creating
7 good policies but we're not creating the kind of
8 obstacles where folks don't want to get engaged in the
9 process. And so, I just -- I want to encourage you to
10 thoughtfully look at the bill. Think about provisions.
11 Think about amendments you're making.

12 Now, the one piece that I am worried about and
13 it's the reason, you know, interest part -- interested
14 party here, is, you know, good enforcement is
15 important. It's an important part of campaign finance
16 because you can pass rules and, you know, it's a little
17 like speeding. You know, many of us actually speed on
18 the highway unless we know there's a cop nearby.

19 It's important to have a good enforcement
20 mechanism. Now, this bill, which was just introduced
21 yesterday, takes the enforcement away from county
22 prosecutors and gives it, instead, to the Ohio Attorney

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1 General.

2 Now, remember the Attorney General already
3 does have a role in ballot campaigns. And specifically,
4 I'm talking about the citizen-initiated ones. The
5 Attorney General reviews the summary language and this
6 giving him a second role does not create the proper
7 checks and balances that are needed.

8 And the language in the bill would suggest it
9 would possibly remove the Attorney General
10 unintentionally because he's already got a role in the
11 ballot campaigns. Now, I would like to believe that the
12 -- the no Attorney General would abuse their role in
13 the process.

14 But we know that it could be incredibly
15 tempting. And, you know, we know that when you pass
16 something like this it's not for this year. It's for
17 next year and the following years and possibly 10 or 20
18 years.

19 So, we do need to ensure that investigations
20 do not become politicized. Now, lots of times I don't
21 agree with Rep. Seitz, but I have to say, when he was
22 testifying yesterday, when he did the sponsor

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1 testimony, he said, he's really correct about the Ohio
2 Elections Commission being a paper tiger.

3 But it is a panel that includes Republicans,
4 Democrats, and Independents. Now, a better approach to
5 thinking about the enforcement mechanism is to ensure
6 that Ohio elections, you know, are free of foreign
7 influence is to actually give broader investigative
8 power to the Ohio Elections Commission.

9 You could also, you know, beef up their budget
10 a little bit because they would need that if that was
11 the case. Now, I want to highlight again that a
12 comprehensive and effective campaign finance law would
13 include provisions that create greater transparency.

14 To ensure that foreign money doesn't play a
15 role in Ohio elections it's necessary to require good
16 disclosure from those engaged in independent
17 expenditure. Now, nothing in this legislation addresses
18 how the lack of transparency fostered House Bill 6, and
19 that's scandal.

20 Dark money has impacted Ohio elections for
21 years and Ohioans have been living with the
22 consequences. The very real consequences of the part of

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1 House Bill 6 that has not been removed where rate
2 payors are continuing to prop up coal plants, for
3 example.

4 Now, creating greater transparency will make
5 it easier to root out foreign money and other
6 shenanigans. Now, it's, you know, I also believe it
7 takes time to do this properly. I urge you to slow down
8 to ensure that there are not any unintended
9 consequences.

10 And I want to thank you for this opportunity
11 again.

12 REP. PETERSON: Thank you for being with us.
13 Questions for the witness. Representative Humphrey.

14 REP. HUMPHREY: Thank you, Mr. Chairman. And
15 thank you Ms. Turcer for -- for being here. Really good
16 testimony. Want to talk about some transparency points
17 that you brought up. And a lot of my colleagues have
18 already talked about this potential switch from OEC in
19 the -- the prosecutor to the AG.

20 But I wanted to talk -- I wanted you to
21 explain just a little bit further your thoughts on how
22 problematic it could be for that -- that switch to

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1 happen. So, we know that the language with regard to
2 campaign finance violations is -- is really broad.

3 And it would allow an -- an openly partisan
4 Attorney General to take over any cases involving
5 candidates or campaigns. Do you -- one, I know you
6 talked about this already, but you do feel like it
7 would be an erosion of checks and balances potentially.

8 But I wanted to talk -- wanted you to touch on
9 potentially how it would reduce neutrality. So, if you
10 could touch on, kind of, just the issues with making
11 that -- that transition from the OEC -- or the
12 prosecutor to the Attorney General. We know he plays a
13 part already but just can you -- can you touch on that
14 a little bit more in more detail?

15 MS. TURCER: Well, Representative Humphrey to
16 the Chair, unlike the previous speaker, I'm always a
17 little bit hesitant to cast dispersions but what I do
18 know is that humans don't always live up to their
19 better angels.

20 And that is why I -- I really believe that
21 when we think about enforcement, giving it to somebody
22 who is elected, you know, statewide, whether they're

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1 Democrats or Republicans, that we're much better off
2 giving it to a neutral panel that includes Democrats,
3 Republicans, and Independents.

4 And that is the way that the campaign finance
5 system is crafted right now. Now, I would also say,
6 let's do what we can to beef up their ability to
7 enforce, to follow the money, to actually live up to
8 their potential.

9 REP. PETERSON: Continue.

10 REP. HUMPHREY: Thank you, Mr. Chairman. And
11 one more question and I -- this just popped in my head
12 as you were responding. But say HB 1 is passed into law
13 and this transition takes place.

14 Do you -- or even while it was trying to go
15 into the process of -- of taking place. Do you feel
16 like there could be some type of oversight on top of
17 the Attorney General? I don't know if that's possible,
18 but do you feel like it could be an oversight to go
19 over top of the Attorney General? And what do you think
20 that should be if -- if at all possible?

21 I'm just kind of trying to put this together
22 in my brain. So, I know Representative Brown spoke

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1 about oversight before, basically saying that the
2 Attorney General would have no oversight. Do you feel --
3 - what type of panel, even besides the OEC, what --
4 what would that oversight be? What would that look
5 like, do you think?

6 MS. TURCER: Thank you -- thank you
7 Representative, through the Chair, I've been thinking
8 about this as problematic specifically giving it to the
9 Attorney General and using the structures that we
10 actually have in place.

11 I haven't thought a lot about well, how would
12 you provide oversight to the Attorney General. Now,
13 those might be some of the amendments that you all are
14 considering.

15 And I again -- so, one of the things that
16 always is a little bit of a challenge is I'm testifying
17 on yesterday's version of House Bill 1 and -- and
18 obviously, we can -- I can make suggestions based on
19 amendments and -- but -- but I think the thing that I
20 would highlight is it is preferable to use the standing
21 Ohio Elections Commission to ensure that Ohio election
22 law is, you know, followed and that they actually hand

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1 it off to a prosecutor.

2 I think that more independent process does
3 work. It does make sense to, you know, to beef them up
4 a little so that they can do a better job. But I would
5 just keep that Attorney General, whoever he or she or
6 they are out of the process.

7 REP. HUMPHREY: Thank you.

8 REP. PETERSON: Representative Skindell with a
9 question.

10 REP. SKINDELL: Thank you, Mr. Chair. So, this
11 House Bill 1, more so than the issue with the
12 contribution or expenditure coming from a foreign
13 entity, what it does do is radically change how we look
14 at election law violations.

15 So, right now, as you know, we have the
16 commission. The commission doesn't necessarily need to
17 refer to a prosecutor, but they are so on a time
18 schedule to deal with election matters because you've
19 got an election coming up and the commission is
20 designed to, kind of, resolve those things relatively
21 quick.

22 It can find that there's not enough grounds

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1 and not go forward with an issue. They can find while
2 maybe there's a violation, but we don't need to issue a
3 fine. They can fine them, or they can find that it's
4 serious enough. Then we refer it to the prosecutor.

5 Here, all matters dealing with these
6 committees, a regular campaign committee, issue
7 committee, all these committees, any violation must go
8 to the Attorney General's office and the commission is
9 divested of any say so in this.

10 Are you concerned about that?

11 MS. TURCER: Rep. Skindell to the Chair,
12 clearly, I can see the possibility of an abuse of
13 power. I also think, you know, one of the things -- you
14 can start imagining all the different ways that someone
15 might get in trouble.

16 Okay. So, this would be -- this would be an
17 example -- you know, I picked the example of somebody
18 is married to somebody who actually is not a U.S.
19 citizen. So, that's an example of something that might
20 go wrong.

21 Another kind of thing that might go wrong,
22 let's pick a participant in last year's ballot measure.

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1 Let's pick the Catholic Church. Okay. So, let's suppose
2 folks were throwing, you know, money into an area that
3 was going to be spent on yard signs, etcetera.

4 So, you know, more independent expenditure
5 than actually working its way to the campaign but,
6 like, they were going to do that. Well, they might
7 receive funds from somebody who just moved here, for
8 example, from Spain.

9 Or they might have received some from somebody
10 who's been around, you know, for many, many years and
11 is a resident. So -- so, the -- those kind -- like,
12 what I worry about -- what you were getting at, which
13 is the must, you know, all of the things, like, we want
14 to ensure that malicious foreign money is addressed but
15 that we don't discourage civic participation.

16 And that we properly address the kinds of
17 problems that can become before the Elections
18 Commission where they, you know, will say don't do
19 that. Or they will, perhaps, do a fine. But so, it's
20 one of the reasons I like the Election Commission
21 process.

22 Because there are things that are big misdeeds

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1 and then there are things that are small. And,
2 actually, when you're at the Elections Commission -- I
3 don't know if any of you have gone recently. You know,
4 often it's somebody who just didn't -- like, their
5 treasurer let them down or something, kind of, went
6 wrong. Or they didn't understand the rules.

7 And so, this is another reason for clarity and
8 taking time. So, it's super clear what exactly it is
9 that you want to pass. Thank you.

10 REP. PETERSON: Representative -- I'm sorry.
11 Did you have a follow up?

12 REP. SKINDELL: Yes, I do.

13 REP. PETERSON: Continue.

14 REP. SKINDELL: So, the referral to the
15 Attorney General are just not the -- the foreign
16 contributions or expenditure. It is every violation of
17 an election law. So, even if you don't have a
18 disclaimer on a yard sign or a piece of literature, you
19 failed to put it on for some reason, minor violations,
20 those are even must be referred to the Attorney General
21 if it deals with one of these committees. Do you think
22 it bogs down the system?

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1 MS. TURCER: Rep. Skindell, Chair, clearly it
2 would bog down the system. Clearly, it's problematic.
3 It could also become hyper partisan and polarizing and
4 let's -- let's use the Ohio Elections Commission in the
5 way that it was intended.

6 And let's do what we can so they can better do
7 their job.

8 REP. PETERSON: Continue.

9 REP. SKINDELL: Thank you, Mr. Chair. One of
10 the other concerns I have is that under the current
11 system with the Elections Commission, the Commission is
12 under a timetable. They -- they're mandated to have a
13 hearing by a certain timeframe and move things along
14 and -- and render a decision one way or another.

15 There is no timeframe, no opportunity for a
16 hearing of a -- of a committee before the Attorney
17 General. So, there's no restrictions on the Attorney
18 General, how long they hold the matter or deal with the
19 matter and keep the cloud over a committee.

20 I was wondering if you have any thoughts about
21 the -- the failure to have a -- a timeframe for these
22 matters to be resolved once they're referred to the

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1 Attorney General?

2 MS. TURCER: Thank you, Representative, Chair.

3 So, what is clear is that the structure that we have
4 has a clear plan. And actually, giving this to the
5 Attorney General could mean that, in fact, we were --
6 you know, somebody who had something going on or
7 something going wrong might have to wait a really long
8 time and just be worried.

9 Now, what I want to highlight again is that
10 the Ohio Election Commission has a structure. They have
11 a plan for how things are -- are created and, you know,
12 it's already part of Ohio law so you could spend some
13 time thinking about how you might want to beef that up,
14 make some changes so that you're not discouraging
15 participation, but you are getting at what you're
16 mostly worried about.

17 REP. PETERSON: Representative Grim with a
18 question.

19 REP. GRIM: Hold on. Of course, my thing pops
20 off. Thank you so much, Chair and thank you so much for
21 being here. So, you've touched on a couple of things,
22 being concerned about participation in the process.

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1 So, I kind of wanted to touch more on that and
2 elaborate more on that. So, changes with -- to the
3 process with an emergency clause that's going to come
4 immediately after the governor signs it.

5 So, there's new rules to confuse folks. You
6 know, they're not going to understand. You know, it --
7 it's almost June. There's ballot initiatives going on
8 already so it's going to change -- it's going to change
9 that process.

10 So, in your opinion, because we're enacting
11 these in a short period of time, what are the
12 consequences of changing the rules in the democratic
13 participation process?

14 MS. TURCER: Yes, thank you Representative to
15 the Chair. So, there is a benefit to planning for the
16 following year. Meaning there -- there's a benefit to
17 not actually passing election related legislation
18 during, you know, during this kind of election year.

19 So that the following year people can get
20 prepared. They better understand things. And, you know,
21 when we've had a history of avoiding changes to
22 election law in, you know, even numbered years.

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1 And actually, that's very good policy and good
2 practice. And I would, you know, encourage you all to
3 think about, like, I -- I realize I desperately want
4 transparency. I also want you all to do it right.

5 So, that there's both urgency, right, but also
6 you want to take the time. And this special session,
7 it's just for a few weeks. And that I am worried about.

8 REP. GRIM: Thank you.

9 REP. PETERSON: Representative Brown
10 with a question.

11 REP. BROWN: Thank you, Chair. The
12 part of this bill that concerns me the most is the
13 bestowing of power upon the Attorney General and in a
14 form that I think is unmatched in my recollection.

15 And, you know, one -- the bill specifically
16 provides that the Commission shall, which is mandatory,
17 refer the matter to the Attorney General unless the
18 Attorney General is a witness, a victim or quote,
19 otherwise involved in the matter, quote.

20 And I think you were here yesterday when I
21 asked the sponsor of the bill what does that mean? And
22 he said -- and he thought it meant that the Attorney

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1 General would police himself.

2 And, you know, in Lincoln's first inaugural
3 address when he was trying to convince the northerners
4 and southerners to stick together, he appealed to the
5 better angels of their nature.

6 And I guess Representative Seitz was trying to
7 appeal to the better angels of the Attorney General's
8 nature in that he would comport himself with that --
9 with that degree of probity. Do you believe that this
10 is a weakness in the bill that may be exploited for
11 political ends by any, possibly any Attorney General in
12 the future?

13 MS. TURCER: Rep. Brown, Chair, I was
14 very careful not to -- to identify all the different
15 ways that things could go wrong if you gave this kind
16 of power to the Attorney General.

17 But we do know that vesting this kind
18 of power can create problems. It -- it's hard to live
19 up to your better angels. It's hard not to worry about
20 your friends. It's hard not to worry about your
21 political party. It's -- it's hard to stand up to
22 pressure from donors.

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1 When you start to think about all of
2 the reasons why the Attorney General isn't the right
3 person, you can think about it for right now but that's
4 not -- we shouldn't be worrying about right now.

5 We should be thinking about well, we
6 don't know who an Attorney General will be in 10 years.
7 And we need to be thinking about this is a lot of power
8 to give when we have a proper structure for dealing
9 with problems, which has Republicans, Democrats and
10 Independents.

11 REP. PETERSON: Representative Hoops
12 with a question.

13 REP. HOOPS: Thank you -- thank you,
14 Mr. Chairman and appreciate your testimony. What --
15 what I'm looking at here is a bill because it seems
16 like we're throwing a lot of stuff on the Attorney
17 General that he doesn't have.

18 I mean, I -- I can understand, you
19 know, if there's still issues on a local level, county
20 level, whether it's issues or a candidate, they go back
21 to the county prosecutor. The issues that the Attorney
22 General would deal with, if you continue to read what

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1 Representative Brown read.

2 And then if you continue to read it, it's
3 issues, it's statewide issues, it's statewide
4 candidates. I mean, if it wasn't the Attorney General,
5 who -- who would do that, you know, on a statewide
6 issue?

7 And then if it's people that are from outside
8 the state, so, I guess, is that the way you're
9 understanding it, or do you really believe that he's
10 also going to be -- he or she is going to be involved
11 with the local issues too?

12 MS. TURCER: Rep. Hoops, Chair, so, what is
13 clear is that the state issues are the most
14 controversial issues. They are the issues that are the
15 ones that are going to test the better angels, to use
16 the best word.

17 So, I wouldn't look at -- when you think about
18 all of the statewide races we have and the pressure
19 that's involved with that, it makes sense to hand this
20 over to the Ohio Elections Commission so all statewide
21 elections, all state issues, it makes sense to actually
22 hand that to the proper -- the folks that already have

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1 it, which is the Ohio Elections Commission and then the
2 prosecutors who do this for a living.

3 So -- so, this is a process that has worked
4 here in Ohio for a while. You know, yes, I do believe
5 we do need to beef up and give the Election Commission
6 more resources but there's no reason to -- to break
7 what we have. It works.

8 REP. HOOPS: Ms. Turcer, I guess I just want
9 to make sure you understand that the Attorney General
10 is not going to be dealing with local issues and -- and
11 county issues. It's more of just the statewide issues.
12 I mean it -- it just makes it sound like he's going to
13 be -- he or she is going to be involved with
14 everything, which is not the case.

15 MS. TURCER: Rep. Hoops to the Chair, I do
16 understand that we're only talking about state level
17 things.

18 REP. HOOPS: Okay. Okay.

19 MS. TURCER: But state level things are the
20 most controversial. They are the ones that could put a
21 lot of pressure on the Attorney General not to do the
22 right thing.

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1 REP. HOOPS: Mr. Chairman.

2 REP. PETERSON: Follow up.

3 REP. HOOPS: I -- I guess I disagree with -- I
4 think we have a process in place because we found just
5 this past year when there were things that weren't
6 legal and right those individuals have paid dearly for
7 that.

8 And so, I think there's a process if, you
9 know, I -- I have a lot of trust in our -- in our AG. I
10 think he -- he or she is doing a good job. Now, there
11 have been some AGs in the past who have gotten into
12 trouble, and they paid for it, too.

13 I think the process does work. Now, maybe we
14 need to beef up some of those things, but I think we
15 have a process in place that if somebody does something
16 wrong, you know, that person is going to pay.

17 Eventually, they're going to be found out
18 because of groups like yourself and other groups are,
19 I'm sure, watching, you know, very closely on how this
20 is all going to work out.

21 MS. TURCER: Representative to the Chair, I
22 think when you think about the Attorney General, you're

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1 thinking about the current Attorney General. You need
2 to be thinking more broadly because we don't know.

3 You know, leaving it to one person rather than
4 a panel, and then when we think about the transparency
5 piece, you know, I think it's really important to -- to
6 say to ourselves, you know, to uncover that House Bill
7 scheme and to think about all the permutations of
8 dark money and all of the different groups, it took an
9 FBI investigation.

10 It shouldn't take an FBI investigation to
11 actually identify things before they spin wildly out of
12 control, which is why I'm encouraging you to create
13 greater transparency in the system, in general, and to
14 really focus on, you know, it's been four years since
15 Larry Householder was arrested and we've gotten more
16 and more information.

17 It really, truly is time to act. I -- much as
18 I'm encouraging to act, I also want you to be
19 thoughtful and take your time. And I -- I realize, you
20 know, I'm asking you to weigh things and do this to get
21 -- get busy, but also to get busy thoughtfully so that
22 there are not any unintended consequences, which is

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1 what I'm worried about.

2 REP. PETERSON: Chairman has a question. So,
3 yes, thank you for just -- I think -- I appreciate the
4 -- your testimony. I think if the sponsor was here, the
5 sponsor would talk about he certainly is weighing the
6 concerns of prosecutors and trying to find that
7 appropriate balance as you have suggested.

8 I just want to walk through my understanding
9 to make sure you and I agree on how we think this would
10 happen. So, yes, in the bill the Attorney General has
11 much greater powers than he did before.

12 But -- but my understanding is the Attorney
13 General, in this role, would be acting as a prosecutor.
14 So, the Attorney General can -- would bring a charge
15 before a judge, which would call a grand jury. And the
16 grand jury would decide whether there's enough evidence
17 to move forward with a trial or not.

18 And then -- and then the judge, if the grand
19 jury says yes there is evidence, then it would move
20 forward to a -- to a jury trial or a judge trial,
21 depending on the situation. So, I -- and that -- that
22 process may not be the best process.

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1 And that's what this discussion is about. And
2 that's what, frankly, the sponsors are working on right
3 now. But I just didn't want there to be any
4 misunderstanding that, you know, the Attorney General
5 can't put somebody in jail or fine them millions of
6 dollars.

7 He would have to go before a judge and a jury
8 like any other case. Is that -- do you under -- have
9 that same understanding?

10 MS. TURCER: So, Chair, I do -- I do
11 understand, you know, everybody's, you know, innocent
12 until proven guilty and there's a prosecutor and
13 there's -- I think -- but there can be investigative
14 abuses. And that is what I'm concerned about.

15 And I also did want to be super clear that,
16 you know, I'm here to help. You know, I -- you know, I
17 -- I am looking forward to seeing the amendments you're
18 considering. I'm looking forward to all the details.
19 And I am here to help.

20 I -- I want to ensure that Ohioans have, you
21 know, the ability to follow the money. And then also
22 that we have a campaign finance system that works as

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1 well as possible and doesn't discourage participation
2 and gets at, you know, the misdeeds.

3 REP. PETERSON: Great. Thank you.

4 Representative Brown.

5 REP. BROWN: Thank you. Thank you, Chair. The
6 Chair's question raised a question in me. The -- the
7 Attorney General would have, under this bill, if it
8 became law, prosecutorial powers, which would include
9 the prosecutor's broad discretion to determine what --
10 what matters to investigate and prosecute or not. And
11 so, there would be a great amount of -- and a broad
12 amount of discretion granted to the Attorney General as
13 any prosecutor has to make those determinations as to
14 who they will go after and who they will not go after.
15 Is that correct?

16 MS. TURCER: That is -- I'm sorry. I'm not
17 following procedure.

18 REP. PETERSON: You're doing great.

19 MS. TURCER: You didn't follow procedure. It
20 wasn't a problem. All right. There we go.

21 REP. PETERSON: But watch your -- but watch
22 your language. I do have grandchildren watching.

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1 MS. TURCER: It never occurred to me -- okay.
2 So, Rep. Brown to the Chair, that is absolutely correct
3 and I -- I want to be super clear, I'm worried about
4 abuse of the process not necessarily in 2024 but years,
5 you know, now and years later.

6 REP. PETERSON: Thank you. Are there other
7 questions for the witness? Thank you for your
8 testimony.

9 MS. TURCER: Well, a big thank you for
10 creating time for the public to speak.

11 REP. PETERSON: That's what we're here for.
12 There's extensive written testimony. I encourage you to
13 review it. I don't have anything else but -- but you
14 might have an amendment or two.

15 What other business is there for the
16 committee? Representative Humphrey.

17 REP. HUMPHREY: Mr. Chairman, thank you, Mr.
18 Chairman. I move to amend House Bill 1 with amendment
19 226 and I'd like to explain.

20 REP. PETERSON: Would you describe the -- the
21 amendment is in order. Would you describe the
22 amendment, please?

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1 REP. HUMPHREY: Thank you, Mr. Chairman. This
2 amendment would remove the emergency clause from the
3 bill allowing us for more testimony and deliberation.
4 Yesterday you heard Representative Seitz agree that the
5 emergency clause needed to be removed to secure
6 necessary votes for passage.

7 The amendment will accomplish exactly what the
8 sponsor requested, the removal of the emergency clause.
9 Now, due to the vagueness and lack of specificity --
10 specificity in the bill, it is important that we have
11 more time in deliberation.

12 Eliminating the emergency clause will provide
13 this time. I would say the only reason why the governor
14 called for this special session in the first place was
15 because of the Biden fix.

16 Now that we no longer need the Biden fix,
17 therefore, there is no need to rush the process of
18 House Bill 1. Tracking money donated to ballot
19 initiatives and referendums from foreign nationals is
20 not easy and this legislation will not effectively
21 address the issue of dark money.

22 Instead, these funds will likely be redirected

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1 to 501(c) (4) organizations where the money remains
2 ambiguous as was famously seen in the Householder case.
3 We all agree that the foreign money should not
4 influence statewide issues.

5 However, we must do this correctly by
6 thoroughly reviewing all aspects in refining the
7 processes to make the system fair. The emergency clause
8 specifically targets upcoming ballot initiatives such
9 as the citizens, not politicians re-districting a
10 minimum wage increase. With that, again, I move to
11 amend House Bill 1 with amendment 226.

12 REP. PETERSON: Thank you. Chair recognizes
13 Representative Thomas for a motion.

14 REP. THOMAS: Chair Peterson, I move to lay
15 amendment 226 on the table.

16 REP. PETERSON: Will the clerk please call the
17 roll.

18 CLERK: Chair Peterson.

19 REP. PETERSON: Yes.

20 CLERK: Vice Chair Thomas.

21 VICE CHAIR THOMAS: Yes.

22 CLERK: Ranking Member Humphrey.

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1 REP. HUMPHREY: [inaudible].
2 CLERK: Representative Brown.
3 REP. BROWN: [inaudible].
4 CLERK: Representative Dobos.
5 REP. DOBOS: Yes.
6 CLERK: Representative Grim.
7 REP. GRIM: No.
8 CLERK: Representative Hoops.
9 REP. HOOPS: Yes.
10 CLERK: Representative Isaacsohn.
11 REP. ISAACSOHN: Yes.
12 CLERK: Representative Oelslager.
13 REP. OELSLAGER: Yes.
14 CLERK: Representative Pizzulli.
15 REP. PIZZULLI: Yes.
16 CLERK: Representative Skindell
17 REP. SKINDELL: No.
18 CLERK: Representative Swearingen.
19 REP. SWEARINGEN: Yes.
20 REP. PETERSON: With appropriate votes the
21 amendment -- the amendment is laid on the table.
22 Representative Isaacsohn with a motion.

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1 REP. ISAACSOHN: Thank you, Chairman. I move
2 to amend House Bill 1 with amendment 2224.

3 REP. PETERSON: The amendment is in order.
4 Would you like to describe it.

5 REP. ISAACSOHN: It would be my pleasure.

6 REP. PETERSON: Let's stick to the amendment,
7 please.

8 REP. ISAACSOHN: Yes. Well, the amendment that
9 I'm proposing is a result of the fact that this is not
10 about fundamentally getting the president on the
11 ballot.

12 That's been clear. It is not about banning
13 foreign money. That's been clear. This bill is about a
14 power grab for the Attorney General.

15 And so, what this amendment would do would put
16 this bill in line with what the sponsor said it was
17 about yesterday, what the Chair has indicated the bill
18 is truly about.

19 If this bill would actually be about
20 strengthening state law to be in line with existing
21 federal law to ban foreign money, it would be a very,
22 very, very simple bill.

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1 Because we have an existing law banning
2 foreign contributions and foreign involvement in
3 candidate campaigns. None of us can accept foreign
4 contributions. We have existing ban on campaign
5 committees.

6 So, all we would need to do, if that was the -
7 - truly the intended purpose of the bill would be to
8 add a portion of the sentence that said, and ballot
9 initiatives.

10 But we have 20 pages in this bill that are
11 doing something else, which tell us exactly what the
12 bill is actually about.

13 It's not -- we're not here to put the
14 president on the ballot and we're not here to ban
15 foreign money.

16 If we were this bill would look very
17 different. So, what this amendment does is get rid of
18 the power grab aspect.

19 We have an independent prosecutor who is
20 already responsible for enforcing the foreign money ban
21 in our politics. They -- they do that enforcement
22 today. They did it last year. They'll do it later this

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1 year as it relates to candidates and campaign
2 committees.

3 And that is the appropriate use of an
4 independent prosecutor that are outside -- they're
5 outside of state politics.

6 So, what this amendment would do would be to
7 maintain the power to enforce the existing laws against
8 foreign contributions in an independent prosecutor.

9 Thank you, Chair.

10 REP. PETERSON: Thank you. Chair recognizes
11 Vice Chairman Thomas for a motion.

12 VICE CHAIR THOMAS: Chair -- Chair Peterson, I
13 move to lay amendment 2224 on the table.

14 REP. PETERSON: Thank you. Will the clerk
15 please call the role.

16 CLERK: Chair Peterson.

17 REP. PETERSON: Yes.

18 CLERK: Vice Chair Thomas.

19 VICE CHAIR THOMAS: Yes.

20 CLERK: Ranking Member Humphrey.

21 REP. HUMPHREY: No.

22 CLERK: Representative Brown.

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1 REP. BROWN: No.
2 CLERK: Representative Dobos.
3 REP. DOBOS: Yes.
4 CLERK: Representative Grim.
5 REP. GRIM: No.
6 CLERK: Representative Hoops.
7 REP. HOOPS: Yes.
8 CLERK: Representative Isaacsohn.
9 REP. ISAACSOHN: Yes.
10 CLERK: Representative Oelslager.
11 REP. OELSLAGER: Yes.
12 CLERK: Representative Pizzulli.
13 REP. PIZZULLI: Yes.
14 CLERK: Representative Seitz. Representative
15 Skindell
16 REP. SKINDELL: [inaudible].
17 CLERK: Representative Swearingen.
18 REP. SWEARINGEN: Yes.
19 REP. PETERSON: Thank you. With appropriate
20 votes the amendment is laid on the table. And as I --
21 as I -- I'll share with everybody watching, as I told
22 Representative Isaacsohn my hope and that there will be

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1 an amendment that looks more like his than his
2 amendment tomorrow.

3 So, I hope we are heading in that direction.
4 So, no further business before that. That concludes the
5 first hearing on House Bill 1. Now, we call up House
6 Bill 2.

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1 CERTIFICATE OF TRANSCRIBER

2 I, Chris Naaden, a transcriber, hereby declare
3 under penalty of perjury that to the best of my ability
4 from the audio recordings and supporting information;
5 and that I am neither counsel for, related to, nor
6 employed by any of the parties to this case and have no
7 interest, financial or otherwise, in its outcome, the
8 above 83 pages contain a full, true and correct
9 transcription of the tape-recording that I received
10 regarding the event listed on the caption on page 1.

11

12 I further declare that I have no interest in
13 the event of the action.

14 
15

16 June 6, 2024

17 Chris Naaden

18

19 (540606, Ohio House Government Oversight Committee - 5-
20 29-2024 - Special Session)

21

22

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Exhibit K



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Transcript of Testimony of Ohio House Government Oversight Committee - Special Session 053024

Date: May 30, 2024
Case: 2024 Ohio Campaign Finance Litigation

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6 TRANSCRIPT OF VIDEO-RECORDED

7 TESTIMONY OF THE

8 OHIO HOUSE GOVERNMENT OVERSIGHT COMMITTEE

9 MAY 30, 2024

10 SPECIAL SESSION

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20 Job No.: 540606

21 Pages: 1 - 16

22 Transcribed by: Christian Naaden

Transcript of Testimony of Ohio House Government Oversight Committee - Special Session 053024
Conducted on May 30, 2024

1 P R O C E E D I N G S

2 REP. PETERSON: We have two items of business
3 before us. We'll start with House Bill 1. The Chair
4 moves a sub-bill without objection.

5 MEMBER: Objection.

6 REP. PETERSON: We have an objection. And the
7 committee will stand at ease while we round up some
8 members. Thank you. There was an objection to the sub-
9 bill. Clerk, please call the role.

10 CLERK: Chair Peterson.

11 REP. PETERSON: Yes.

12 CLERK: Vice Chair Thomas.

13 VICE REP. THOMAS: Yes.

14 CLERK: Ranking Member Humphrey.

15 REP. HUMPHREY: No.

16 CLERK: Representative Brown.

17 REP. BROWN: No.

18 CLERK: Representative Dobos.

19 REP. DOBOS: Yes.

20 CLERK: Representative Grim.

21 REP. GRIM: No.

22 CLERK: Representative Hoops.

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1 REP. HOOPS: Yes.
2 CLERK: Representative Isaacsohn.
3 REP. ISAACSOHN: No.
4 CLERK: Representative Oelslager.
5 REP. OELSLAGER: Yes.
6 CLERK: Representative Pizzulli.
7 REP. PIZZULLI: [inaudible].
8 CLERK: Representative Seitz.
9 REP. SEITZ: Yes.
10 CLERK: Representative Skindell
11 REP. SKINDELL: No.
12 REP. PETERSON: The motion passes. The sub-
13 bill is now part of the bill. I would now recognize
14 Representative Seitz for an amendment, that technical
15 amendment.
16 REP. SEITZ: Yes, Mr. Chair. I move to amend
17 substitute House Bill 1 with amendment 2259, which is a
18 [inaudible] amendment simply clarifying that whatever
19 is referenced [inaudible] commission.
20 REP. PETERSON: Without objection can we add
21 the amendment? Seeing no objection, the amendment
22 becomes part of the bill. Thank you. Now, would

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1 Representative Seitz be willing to describe this sub-
2 bill?

3 REP. SEITZ: Sure. Sure. The - there, I think
4 seven important points to make. The first important
5 point to make is I was right that we were working on a
6 bill that would be even shorter than the 21 page bill
7 we looked at couple days ago.

8 And certainly, as Representative Brown noted a
9 couple days ago, much shorter than the 200 and some
10 page bill that came over from the Senate. So, the first
11 point is the new bill puts everything in a new code
12 section and is only five pages long.

13 So, we have taken what I said to heart that
14 the shortest distance between two points is a straight
15 line. And we're being very concise and clear in what
16 we're doing here in the bill.

17 Second, there were about, let's see, six -
18 yeah, six points of difference between us and the
19 Senate that had to be negotiated. And we've been very
20 busy doing that.

21 The first point is penalties. The Senate
22 wanted to make everything a felony of the fifth degree

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1 including the aiding and abetting section. We were able
2 to negotiate a compromise whereby the aiding and
3 abetting section will be a M1 only. The other penalties
4 will be an M1 on the first offense graduating to a F5
5 on a repeat offense. So, that was the compromise there.

6 The enforcement language very, very similar to
7 what we saw on Tuesday. I think probably you could
8 argue that this, sort of, makes it even clearer that
9 the Attorney General has the power to investigate and
10 enforce regardless of whether it's been through the
11 mill a the OEC or not.

12 In the interest of getting prompt enforcement,
13 we all know that the OEC takes its jolly good time and
14 frequently is unable to adjudicate anything prior to an
15 election. So, that's why the enforcement section, I
16 would say, is different than the bill we looked at the
17 other day but in minor ways and – and to the Senate's
18 satisfaction on that point.

19 The Senate wanted to include reference to a
20 continuing association. I'll bet you there's not five
21 people in this room know what that is but a continuing
22 association is any form of business entity that is

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1 organized under Internal Revenue Code Section
2 501(c) (3), 501(c) (4), 501(c) (6).

3 Their primary purpose is really not political.
4 They - in fact they are not allowed to engage in
5 politics under current law, federal and state. They are
6 not allowed to give money to candidates or urge - and
7 foreign nationals are not allowed to do that now
8 through a continuing association.

9 We're expanding that to include ballot - state
10 ballot issues, which is the thrust of the bill but we
11 are modifying the words continuing association by words
12 to the affect of to the extent allowed by law or the
13 constitution.

14 There being some question, and I think I
15 alluded to this a couple days ago, as to the extent to
16 which Citizens United would trump the foreign nationals
17 provision or the foreign nationals provision would
18 subsist regardless of the Citizens United decision.

19 And, as you all know, the Citizens United
20 decision gave 501(c)(4)s pretty well the untrampled
21 ability to advocate on behalf of issues as a
22 constitutional matter. And then so that's why we had

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1 been somewhat reluctant to put continuing associations
2 into this bill but we've now done it through a - I
3 think a rather artful compromise, which is but it's in
4 there, to the maximum extent permitted by law or the
5 constitution.

6 You will recall that our bill a few days ago
7 adhered to the federal law definition of foreign
8 national. That was a major subject of dispute with the
9 Senate.

10 They had wanted to change our definition of
11 foreign national to make the prohibition more complete
12 and prevent even a lawful permanent residence of the
13 United States, who were non residents or, who are - I'm
14 sorry, not citizens from being able to contribute.

15 We - we thought the better part of prudence
16 was to retain our adherence to the federal definition
17 of a foreign national. You will note the next point
18 that we also prevailed over their desire - their
19 original desire was to make this the new law applicable
20 not only to state ballot issue - statewide ballot
21 issues but also to local ones as well.

22 But we prevailed and convinced them that for

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1 now at least let's see how this works out at the
2 statewide ballot issue level before we go complicating
3 things by extending the principle to all manner of
4 local - local ballot issues that might exist for local
5 school levies or liquor license - liquor permits or so
6 forth.

7 The - also, you will note that there is no
8 treasurer certification language in this abbreviated
9 bill. That was a point of contention as well. And I had
10 alluded to that on Tuesday and said that we were still
11 talking about it.

12 But we have in this bill not imposed any sort
13 of criminal penalty on - on the treasurers of these
14 various campaigns in the interest of making sure people
15 are willing to serve as treasurer because we all know
16 that the treasurer typically does not solicit money.

17 The treasurer simply is the keeper of the
18 money and sort of a green eyeshade accountant type
19 person. So, that is the summary of the - where we ended
20 up, where we landed. I feel reasonably confident that
21 the Senate is prepared to agree with this if the House
22 will vote for this. And we can then be done with - done

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1 with this and move on.

2 REP. PETERSON: Thank you for that summary.

3 Representative Isaacsohn, you have an amendment.

4 REP. ISAACSOHN: Yes, Mr. Chair. I would like
5 to amend Sub-Bill 1 with amendment 2261.

6 REP. PETERSON: The amendment is in order.

7 Would you like to describe the amendment?

8 REP. ISAACSOHN: I would like to describe the
9 amendment. And respond a little bit to the bill sponsor
10 and what we just heard about the new sub-bill.

11 REP. PETERSON: Let's - let's describe the
12 amendment and I'll take a comment after.

13 REP. ISAACSOHN: Okay. The amendment is in
14 response to what this bill does. And I want to be clear
15 about what the bill is doing. Currently, an allegation
16 of something that is already illegal, which is foreign
17 contributions to our political campaigns, has to be
18 investigated by the Ohio Elections Commission, who are
19 professionals, who are bipartisan, who have a job to
20 do, which is exactly to look into election integrity.

21 That's what they're there for. The notion that
22 they take their time adjudicating complicated issues is

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1 a problem, is outrageous. That's how the court system
2 works. The idea that we would have – that they're
3 taking too long.

4 So, we want to give arbitrary and expedited
5 authority to a law – to a single law enforcement
6 official, the Attorney General. That is what this bill
7 is doing. It is saying any voter in Ohio – any elector
8 can allege a violation of a law that is poorly drafted,
9 overly broad, incredibly vague, very confusing, hard to
10 understand.

11 Can allege a violation of that law and then
12 that allegation can be directly and immediately
13 investigated and prosecuted by the Attorney General.
14 And by the way, that allegation is not just in state
15 ballot initiatives it's into any candidate campaign,
16 any political action committee, any candidate
17 committee.

18 So, if someone voted the wrong way for Speaker
19 of the House, for example, their campaign committee
20 might face some allegations that immediately get
21 investigated with no Ohio Elections Commission
22 interference. No taking the time to actually look into

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1 and investigate the problem by bipartisan
2 professionals.

3 That's what the bill is doing. So, what my
4 amendment would do is keep the power to investigate and
5 prosecute these alleg - these violations, not just the
6 allegations, the violations, in the hands of an
7 independent prosecutor that is outside the realm of
8 state politics.

9 Because when we give the power directly to the
10 Attorney General, this Attorney General has already
11 been nefariously involved in trying to prevent ballot
12 initiatives to repeal unpopular laws, specifically
13 House Bill 6, as we've heard in federal trials.

14 He is being sued by the various entities
15 trying to bring forward ballot initiatives. And so, he
16 has a vested interest in pushing back and fighting
17 back. He's a statewide political actor.

18 So, to give this kind of unbridled power to
19 one person, who has already proved that he's willing to
20 use that power to political aims, is deeply misguided.
21 The amendment would keep the power in the hands of an
22 independent prosecutor.

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1 So, that is what this amendment does. I look
2 forward to commenting further, as the Chair has
3 indicated but I'll - I'll stop now on this amendment.

4 REP. PETERSON: Clerk, please call the role.

5 CLERK: Chair Peterson.

6 REP. PETERSON: I'm sorry. This is on the
7 amendment. Let me clarify. I would look to my Vice
8 Chairman for a motion.

9 VICE REP. THOMAS: Chair Peterson, I move to
10 lay amendment 2261 on the table.

11 REP. PETERSON: Thank you. Now will the clerk
12 please call the role on the tabling motion.

13 CLERK: Chair Peterson.

14 REP. PETERSON: Yes.

15 CLERK: Vice Chair Thomas.

16 VICE REP. THOMAS: Yes.

17 CLERK: Ranking Member Humphrey.

18 REP. HUMPHREY: No.

19 CLERK: Representative Brown.

20 REP. BROWN: No.

21 CLERK: Representative Dobos.

22 REP. DOBOS: Yes.

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1 CLERK: Representative Grim.
2 REP. GRIM: No.
3 CLERK: Representative Hoops.
4 REP. HOOPS: Yes.
5 CLERK: Representative Isaacsohn.
6 REP. ISAACSOHN: No.
7 CLERK: Representative Oelslager.
8 REP. OELSLAGER: Yes.
9 CLERK: Representative Seitz.
10 REP. SEITZ: Yes.
11 CLERK: Representative Skindell
12 REP. SKINDELL: No.
13 REP. PETERSON: Thank you. The motion is laid
14 on the table.
15 Now, we're back to the original House Bill 1
16 as amended in the sub-bill. Chair recognizes
17 Representative Seitz.
18 REP. SEITZ: Thank you. Mr. Chairman, I move
19 that the committee favorably report substitute House
20 Bill 1 to the Committee on Rules and Reference leaving
21 the road open at the discretion of the Chair.
22 REP. PETERSON: We've got a motion. Clerk,

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1 please call the role.

2 CLERK: Chair Peterson.

3 REP. PETERSON: Yes.

4 CLERK: Vice Chair Thomas.

5 VICE REP. THOMAS: Yes.

6 CLERK: Ranking Member Humphrey.

7 REP. HUMPHREY: No.

8 CLERK: Representative Brown.

9 REP. BROWN: No.

10 CLERK: Representative Dobos.

11 REP. DOBOS: Yes.

12 CLERK: Representative Grim.

13 REP. GRIM: No.

14 CLERK: Representative Hoops.

15 REP. HOOPS: Yes.

16 CLERK: Representative Isaacsohn.

17 REP. ISAACSOHN: No.

18 CLERK: Representative Oelslager.

19 REP. OELSLAGER: Yes.

20 CLERK: Representative Seitz.

21 REP. SEITZ: Yes.

22 CLERK: Representative Skindell

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1 REP. SKINDELL: No.

2 REP. PETERSON: With sufficient votes the
3 House Bill 1 passes.

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12 I further declare that I have no interest in
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14 
15

16 June 6, 2024

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19 (540606, Ohio House Government Oversight Committee - 5-
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21

22

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Exhibit L



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7 TESTIMONY OF THE
8 OHIO HOUSE OF REPRESENTATIVES
9 MAY 30, 2024
10 SPECIAL SESSION

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20 Job No.: 540606
21 Pages: 1 - 43
22 Transcribed by: Christian Naaden

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1 P R O C E E D I N G S

2 REP. STEPHENS: Reports of standing and select
3 committees and bills for second consideration.

4 CLERK: Representative Humphrey submitted the
5 following report. Standing Committee on Government
6 Oversight which is for House Bill 1. Representative
7 Seitz having the same consideration, reports back as a
8 substantive bill, recommends its passage.

9 Representative Humphrey submitted the
10 following report. Standing Committee on Government
11 Oversight, which is for House Bill 2. Representative
12 Dobos having the same consideration, reports back and
13 recommends its passage.

14 REP. STEPHENS: Motions and resolutions. Bills
15 for third consideration.

16 CLERK: Substitute House Bill 1.

17 Representative Seitz to enact the Revised Code to
18 modify the campaign finance law regarding foreign
19 nationals and ballot issues.

20 REP. STEPHENS: Would the gentleman please --

21 CLERK: Please come to order.

22 REP. STEPHENS: First of all, would the

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1 gentleman please come to order? Would the gentleman
2 please state the constitutional provision, law or rule
3 that is being violated.

4 CLERK: Rule 82, this is a motion that needs
5 to be recognized as a motion for timely manner.

6 REP. STEPHENS: No member has been recognized
7 to make a motion, therefore the motion to the point of
8 order is out of order. The question is shall the bill
9 pass? The clerk will read the title of the bill,
10 please.

11 CLERK: Substitute House Bill 1.

12 Representative Seitz to enact the Revised Code to
13 modify the campaign finance law regarding foreign
14 nationals and ballot issues.

15 REP. STEPHENS: The question is shall the bill
16 pass? The Chair recognizes Representative Seitz.

17 REP. SEITZ: Thank you, Mr. Speaker. I rise
18 today in support of amended substitute House Bill 1 of
19 the special session. Hopefully today we will, by the
20 conclusion of today's events, satisfy Governor DeWine's
21 call for a special session to deal with the two
22 questions that he posed to us.

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1 It has been a long and arduous journey to
2 attempt to grapple with this complex subject of House
3 Bill 1 in a way that meets with the tacit or express
4 approval of both Chambers. A lot of lawyers have been
5 involved.

6 That makes this very much a lawyer's bill. I
7 will just hit the highlights in the interest of not
8 giving everybody a free hour of CLE.

9 What we are doing here is banning foreign
10 nationals, directly or indirectly, through any person
11 or entity, from making contributions, expenditures, or
12 independent expenditures in support of or opposition to
13 candidates or ballot issues, including banning the
14 making of a disbursement for producing an
15 electioneering communication.

16 The bill also clarifies that the ban applies
17 to issue campaigns, regardless of whether the ballot
18 issue or question has yet been certified to appear on
19 the ballot.

20 The bill extends to continuing associations,
21 as well as campaigns, campaign funds, and other
22 entities engaging in campaigns. And it prohibits them

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1 from knowingly soliciting, accepting, or receiving any
2 funds from a foreign national, and bans them from
3 spending money if they know it was received from a
4 foreign national.

5 And in the case of continuing associations,
6 that would apply to the maximum extent permitted by law
7 or the Constitution, there still being some residual
8 question as to the General Assembly's power to regulate
9 this aspect of a continuing association's activities.

10 The bill criminalizes violations of the
11 solicitation, acceptance, or receiving, and
12 expenditures provisions, makes it a crime. Also makes
13 it a crime to aid and abet the violation.

14 And furthermore, provides for treble damages,
15 which means three times the amount that was illegally
16 expended or received. So, and that's a mandatory fine
17 that is not waivable by anybody.

18 We are giving the Attorney General the
19 authority to investigate and prosecute any violation
20 related to this foreign money prohibition, which after
21 a long time, we've been able to put in a single code
22 section, which makes it much easier to read and digest.

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1 We started out with a bill that came over from
2 the Senate that was over 200 pages long. We started on
3 Tuesday with a bill that was 21 pages long. We ended up
4 with a bill we passed this morning that is only about
5 five pages long.

6 So, I keep saying that the shortest distance
7 between two points is a straight line. Let's try to be
8 as clear and concise as we can to avoid any inadvertent
9 mistakes which happen when you're writing a very long
10 bill on a very complex subject.

11 The reason we're giving the Attorney General
12 this authority is because the Attorney General has a
13 bigger shop with greater expertise in complex cases,
14 with greater expertise in delving into where we might
15 find this foreign money, which will be difficult to
16 track even under optimal circumstances.

17 And the Attorney General has more
18 investigative tools in the toolbox than does the Ohio
19 Elections Commission. The Ohio Elections Commission is
20 a fine organization, but it moves at glacial speed.

21 And often is completely unable to render any
22 kind of effective relief prior to the actual election,

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1 and often for many years thereafter. A good example is
2 the case of Mr. Freeman, who ran for state
3 representative some, let's see, five years ago, four
4 years ago.

5 Thank you. And just this year, the fine was
6 finally levied for the violations in that case by the
7 Ohio Elections Commission. So, that is one of the
8 reasons why we're giving the Attorney General this
9 authority.

10 We're patterning this authority after the
11 authority that he already has to investigate and
12 prosecute Medicaid fraud and workers' compensation
13 fraud. We had no problem with that. So, what we're
14 trying to do here, folks, at least what we all should
15 be trying to do, is ferret out the evil construct of
16 foreign money on our elections.

17 This is not a good thing. And I remember from
18 2016 to 2018, or thereabouts, we heard from the
19 National Democrats, and who appointed a special
20 prosecutor to look at this question, rather than going
21 through the Federal Elections Commission.

22 All we heard for three years from Mueller and

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1 the gang was, Russia, Russia, Russia, Russia, Russia.
2 Everybody was concerned about Russian influence in the
3 2016 presidential election. We are now concerned about
4 other forms of foreign interference.

5 It is a dangerous world out there. The Chinese
6 are busy hacking our systems, doing everything they can
7 to pollute the values of our children. They are not our
8 friends. There are many other countries around the
9 world that are not our friends.

10 And we believe that Ohioans should decide
11 ballot questions only with money that comes from other
12 Americans. Okay? So that is what we have put together
13 and we're very proud of it. We hope this is a step
14 forward. It already is illegal under Ohio law for these
15 organizations to spend foreign money on candidates.

16 We're simply extending that proposition to
17 statewide ballot issues. We reformed the bill so as not
18 to apply to local issues, like the local park levy or a
19 local liquor option, precinct liquor option bill. We
20 made that change. So we're trying to just go after,
21 with a fairly narrow brush, what we're really trying to
22 prohibit.

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1 Ballot initiatives will be able to continue
2 just as they have in recent years and probably will
3 continue for more years to come so long as the campaign
4 committee for that ballot issue just takes in money
5 from American interests and does not take in money from
6 foreign interests.

7 If they take in money from foreign interests,
8 they are not allowed to spend that money on the ballot
9 campaign. And so, they still have a way forward.
10 They've got plenty of folks, 330 million Americans or
11 so thereabouts, from whom to solicit money for their
12 ventures.

13 They do not need to widen that universe of
14 people to include folks who are citizens of countries
15 that may be our enemies nationally and internationally.

16 So with that, I would urge support for this
17 bill and appreciate the work of the committee,
18 appreciate Chairman Peterson's work, appreciate the
19 work that I did collaboratively with our Senate friends
20 to reach this point. And hopefully, we will be able to
21 get something passed here today and move it over to the
22 other Chamber. Thank you.

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1 REP. STEPHENS: The question is shall the bill
2 pass? The Chair recognizes Representative Isaacsohn.

3 REP. ISAACSOHN: Thank you, Mr. Speaker. I
4 move to amend House Bill 1 with Amendment 2266.

5 REP. STEPHENS: The amendment is in order and
6 the gentleman may proceed.

7 REP. ISAACSOHN: Thank you, Mr. Speaker. I
8 rise today to urge that we take a unique opportunity to
9 do both the right thing when it is actually the easier
10 thing to do.

11 This amendment would retain the authority to
12 investigate and prosecute allegations and violations
13 with the bipartisan professionals at the Ohio Elections
14 Commission and an independent prosecutor, instead of
15 what the bill does, which is pursue yet another attempt
16 to limit the voices of the people of Ohio and give more
17 power to the already far too powerful.

18 We all know that this special session has
19 nothing to do with the Governor being concerned about
20 whether the President can get on the ballot or not.
21 This session was convened on the basis that Ohioans
22 should only have the right to vote for the sitting

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1 president of the United States if they are willing to
2 trade away some of their other democratic rights.

3 That is what we are doing here today. We are
4 demonstrating to voters that their politicians only act
5 with urgency to grab power, that political civility can
6 be thrown aside and that mistrust of government is well
7 founded.

8 I both want us to be better than that, and,
9 happen to know that the vast majority of people in this
10 Chamber are in fact above that kind of behavior. The
11 real issue we are here to address is also not the
12 sinister influences that the Lieutenant Governor
13 ominously alluded to recently that he claims affected
14 our ballot initiatives.

15 Ohio voters did not reject last year's August
16 power grab because they were duped. Ohio voters did not
17 overwhelmingly vote to protect reproductive rights or
18 to legalize cannabis because they were influenced by
19 foreigners.

20 Ohio voters voted to retain their rights
21 because they know what they want and they are willing
22 to fight for what they deserve. It is insulting and

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1 embarrassing to suggest otherwise. Foreign
2 contributions in campaigns are already illegal under
3 federal law.

4 But if we want to clarify state law to match
5 federal law, that would be fine with us. We oppose
6 foreign money in our politics and would support a clean
7 bill that actually did that. Instead, this bill uses
8 vague language to create a culture of fear and
9 confusion around engaging in political activity.

10 It is a terrifying power grab by the Attorney
11 General. I know the bill was only introduced late last
12 night, and most people probably haven't had a chance to
13 dive into the details. So let me explain briefly.

14 Again, foreign contributions are already
15 illegal. When the Ohio Election Commission currently
16 has reason to believe that those illegal activities are
17 taking place, they investigate and then they refer to
18 an independent prosecutor who is not involved in state
19 campaigns.

20 This bill goes far beyond the 13 words that
21 would have been necessary to codify federal law into
22 the state code. It transfers authority from an

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1 independent prosecutor to a statewide politician, the
2 Attorney General, who has demonstrated over and over
3 again a willingness to use his office to pursue
4 political gains.

5 Just this week, a federal court found him to
6 be holding up a ballot initiative process, and another
7 federal trial has demonstrated the ways in which he
8 worked against a potential repeal for House Bill 6.

9 This bill creates an incredibly confusing and
10 broad set of potential violations and gives the ability
11 to allege those violations to any voter in Ohio, then
12 granting the exclusive power to investigate and
13 prosecute those alleged violations to that same
14 Attorney General who is already so involved in ballot
15 initiatives.

16 What is even an indirect contribution? If a
17 board member of the restaurant association, for
18 example, or another corporation is a foreign national,
19 are all of the political contributions from that
20 association or company's attendant PACs or committees
21 subject to violations?

22 What about a college student whose grandfather

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1 sends them \$100 from Ireland for their birthday, and
2 then they go and they buy some markers and some signs
3 and they go and protest for their rights, for their
4 reproductive rights at an issue campaign?

5 With the confusion of a poorly drafted and
6 rushed bill, we will need the Election Commission to
7 weigh in and investigate more than ever. But as the
8 bill sponsor noted, the bipartisan professionals at the
9 Ohio Elections Commission were taking too long for the
10 Senate Majority's liking.

11 So this bill decides to take direct aim at due
12 process and say, "You're not going fast enough. We want
13 allegations to go directly to the Attorney General. We
14 don't want due process from the Ohio Elections
15 Commission.

16 It's taking too long. We want a politician
17 with clear conflicts of interest to be able to
18 investigate and prosecute immediately."

19 That's what the bill proposes, and the public
20 deserves to know why legislators are caving to
21 extremism by jamming this through in a special session.
22 Ohioans know a citizen-led ballot initiative to reform

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1 the redistricting process is likely coming our way in
2 November, and they know that people in power are shaken
3 to their core.

4 Because when citizens, not politicians, draw
5 new maps, it will begin to dismantle an unaccountable,
6 unrepresentative, gerrymandered supermajority. This
7 bill is an attack at the root of our democratic
8 process.

9 It is perfectly okay for us to disagree, even
10 vehemently, on the issues we are sent here to work on,
11 taxes, education, health care, housing, child care.
12 Governing is difficult and complex, and we have plenty
13 of legitimate disagreements about the right path
14 forward to have.

15 But we cannot afford to disagree when it comes
16 to our fundamental democratic principles. That is where
17 we have to stand firm as Ohioans and as Americans. This
18 bill is an affront to the people of Ohio.

19 It attacks their right to organize, to
20 advocate for causes they believe in, and to engage in
21 the deeply American activity of coming together to
22 fight for a better future. Most of us did not come here

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1 to deprive them of those rights. And we shouldn't be
2 doing the bidding of the few people in power who did.

3 My amendment would prevent this outrageous
4 power grab and maintain existing law to keep
5 enforcement authority with an independent prosecutor.
6 It is simple, it is the right thing to do, and it's
7 what Ohioans deserve. I urge you to support it.

8 REP. STEPHENS: The question is shall the
9 motion to amend be agreed to? The Chair recognizes
10 Representative Seitz.

11 REP. SEITZ: Thank you once again, Mr.
12 Speaker. I rise briefly to respond. First of all, the
13 Ohio Elections Commission does not consist solely of
14 lawyers. This is, as my friend noted, a complex matter.
15 He spun out a few hypotheticals. It does not lend
16 itself to being adjudicated by folks that do not have
17 legal training.

18 Second of all, the Attorney General's power
19 that we are giving him under this bill is strictly
20 limited to cases where there are violations of the
21 foreign money section.

22 It is not a plenary grant of authority to the

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1 Attorney General to do whatever he wants with respect
2 to any other form of campaign violation. Those have
3 historically been dealt with by the OEC, and they will
4 continue to be dealt with by the OEC.

5 But this unique area where you're trying to
6 trace money back through a labyrinthine chain requires
7 the sort of investigatory tools that the Attorney
8 General has and the county prosecutors do not have.

9 The county prosecutors are fine people, but
10 they have limited bandwidth for international
11 investigations, and it would be a joke to say that
12 they, too, do not have political ambitions and
13 aspirations of their own.

14 We have gone through this at the federal
15 level. They had—I mentioned Mueller before, all right?
16 So you want to turn it over to an independent
17 prosecutor. Independent like Jack Smith, independent
18 like Mueller. Yeah, fine. We all know that they're not
19 independent.

20 We all know that they're on an orchestrated
21 witch hunt to prevent the Republican candidate for
22 President from being able to run. The fact of the

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1 matter is, Lawrence Tribe, who's one of the most
2 liberal professors there is from Harvard University,
3 wrote this back in 2021.

4 "Regulating political spending by corporations
5 with significant foreign ownership is consistent with
6 the Constitution and Supreme Court precedent. Indeed,
7 concern about potential foreign influence over our
8 democratic politics is written into the Constitution
9 itself. And while the Supreme Court has held that the
10 First Amendment prohibits limits on independent
11 expenditures in general, it has made an important
12 exception for spending by foreign nationals.

13 Federal law already prohibits foreign
14 nationals, a category defined by federal law to include
15 foreign governments, corporations incorporated or with
16 their principal place of business in foreign countries,
17 and individuals who are not U.S. citizens or lawful
18 permanent residents, from spending money on state,
19 federal, or local elections."

20 And that has been upheld as to state, federal,
21 state, and local candidate elections in the Blumen
22 case, which no doubt we will be discussing perhaps

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1 later in this debate. So, I do not see any reason to
2 vest the complex authority that we need to give the AG
3 in the OEC, which has been slow, lacks the
4 investigative tools to do the job, and frankly, lacks
5 the budget to do the job because they are pretty well
6 hanging on by a thread over there.

7 And this would be a significant additional
8 undertaking if, in fact, there is foreign money
9 affecting our elections at any level. So, with that, I
10 would urge that the amendment be tabled.

11 REP. STEPHENS: The question is shall the
12 motion to amend be agreed to? The Chair recognizes
13 Representative Oleslager.

14 REP. OLESLAGER: Mr. Speaker, I move to lay
15 the amendment on the table.

16 REP. STEPHENS: The House will prepare -- the
17 question is shall the motion to amend be laid upon the
18 table? The House will prepare and proceed to vote. All
19 members now voted. The Clerk will read the roll.

20 CLERK: Sixty-four affirmative votes and 31
21 negative.

22 REP. STEPHENS: With 64 affirmative votes and

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1 31 negative votes, the motion is laid upon the table.

2 The question is Shall the bill pass? The Chair
3 recognizes Representative Stewart.

4 REP. STEWART: Thank you, Mr. Speaker. I move
5 to amend with Amendment Number 2262.

6 REP. STEPHENS: The amendment is in order, and
7 the gentleman may proceed.

8 REP. STEWART: Thank you, Mr. Speaker. This
9 amendment would define foreign national under Ohio law
10 to include lawful permanent U.S. residents, also
11 referred to as green card holders, and prohibit green
12 card holders from making contributions or expenditures
13 under the bill.

14 It's important to remember that in 2022, 77
15 percent of Ohioans went to the ballot and approved a
16 constitutional amendment to say that noncitizens,
17 including green card holders, cannot vote in Ohio
18 elections.

19 Unfortunately, the bill that we have before us
20 today says that these same noncitizen green card
21 holders who cannot vote in our elections are for some
22 reason still nevertheless allowed to spend millions of

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1 dollars potentially to influence those same elections
2 that they are barred from voting in.

3 This makes no sense as a matter of public
4 policy. If we are trying to ban foreign influence and
5 foreign money in our elections, then let's actually do
6 it. House Bill 1, as it's currently drafted, contains a
7 glaring loophole, and we should close it.

8 And that's what this amendment would do.
9 Without this amendment, folks, the Biden administration
10 can fast track a green card for their favorite
11 preferred foreign billionaire of the day from
12 Switzerland or elsewhere before the ink is even dry on
13 House Bill 1.

14 We are well within our legal rights to do this
15 under federal law. In the case of *Blumen v. FEC*, future
16 Supreme Court Justice Brett Kavanaugh wrote for the
17 court and summarized a lot of longstanding case law
18 regarding the ability to regulate foreign national
19 participation in our elections. And in that case, he
20 wrote in those many decisions, the Supreme Court of the
21 United States has drawn a fairly clear line.

22 The Governor may exclude foreign citizens from

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1 activities intimately related to the process of
2 democratic self-government. As the court has written, a
3 state's historical power to exclude aliens from
4 participation in its democratic political institutions
5 is part of the sovereign's obligation to preserve the
6 basic conception of a political community. In other
7 words, the government may reserve participation in its
8 democratic political institutions to citizens of the
9 country.

10 We read these cases and set forth a
11 straightforward principle. It is fundamental to the
12 definition of our national security that foreign
13 citizens do not have a constitutional right to
14 participate in, and thus may be excluded from,
15 activities of democratic self-government.

16 It follows, therefore, that the United States
17 has a compelling interest for purposes of First
18 Amendment analysis in limiting the participation of
19 foreign citizens in activities of American democratic
20 self-government and in thereby preventing foreign
21 influence over the U.S. political process.

22 Now, we may have some more discussion about

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1 the law, but respectfully, if someone reads that
2 language to say that we somehow cannot bar non-citizen
3 green card holders from participating in our elections,
4 we're going to respectfully but very, very strongly
5 disagree. Ohio is well within our rights to exclude
6 green card holders from spending money on ballot
7 issues.

8 This exact language has been in every version
9 of the foreign money ban that has come back from the
10 Senate to this point. This amendment enhances the bill,
11 it enhances its chances for final passage, and if I had
12 any belief whatsoever that including this amendment
13 would jeopardize the enforceability of the overall
14 bill, I would not offer it.

15 For those that plan to vote on this bill
16 today, you can't go home and tell your constituents
17 that you banned foreign money when you left over
18 100,000 foreign nationals legally able to contribute
19 money in Ohio elections.

20 Without this amendment, House Bill 1 has a
21 great big asterisk on it. It's not a foreign money ban.
22 It's a Diet Coke foreign money ban. It's a neutered,

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1 watered down foreign money ban.

2 I believe based on conversations that most
3 members of the Republican caucus support this policy,
4 it's consistent with what Ohio voters did just two
5 years ago. I would ask for a yes vote on this amendment
6 and anticipating if we do get a motion to lay the
7 amendment upon the table, I would ask that you vote no
8 on tabling. Thank you.

9 REP. STEPHENS: The question is shall a motion
10 to amend be agreed to? The Chair recognizes
11 Representative Seitz.

12 REP. SEITZ: Thank you, Mr. Speaker. I
13 appreciate the passion with which my colleague has
14 argued to deviate from long-standing federal law and
15 Ohio law in its definition of a foreign national based
16 on a selective reading of the Blumen case and Judge
17 Kavanaugh's opinion. That case went up to the Supreme
18 Court and was affirmed without opinion. Courts often
19 speak very pointedly through their footnotes in
20 opinions.

21 And at the very end of that opinion, which
22 admittedly said we could regulate contributions by

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1 foreign nationals as defined in federal law. And that
2 definition excludes from the definition of foreign
3 nationals, lawful permanent residents of the United
4 States, also known as green card holders.

5 So the court said, yes, you can restrict
6 foreign nationals from participating in the process.
7 But lawful permanent residents are not defined under
8 federal law or Ohio law as foreign nationals.

9 And so here is what Judge, now Justice
10 Kavanaugh said at the very end of this Blumen case.
11 There are important limits to our holding in this case.

12 We do not here decide whether Congress could
13 constitutionally extend the current statutory ban to
14 lawful permanent residents who have a more significant
15 attachment to the United States than the temporary
16 resident plaintiffs in this case.

17 Any such extension would raise substantial
18 questions not raised by this case. Now, why would they
19 have said that if they meant to say that jurisdictions,
20 states and federal government could bar lawful
21 permanent residents from any form of political
22 participation? Why would they say it was a substantial

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1 question?

2 They are trying to tell us something by saying
3 that. That's what they're trying to do. Now, I heard
4 about, you know, maybe Biden could give his best
5 millionaire friends a bunch of green cards tomorrow if
6 we -- if we don't ban green card holders from
7 participating.

8 The process of getting a green card is not
9 susceptible to getting one overnight. We have collected
10 the relevant statutory and regulatory references to
11 that process. And depending on where you go to apply
12 for your green card, it could take anywhere from 12 to
13 24 months to get one.

14 I am concerned that we act today to ban
15 foreign money as conventionally defined with foreign
16 nationals and that if we do go beyond that, as this
17 amendment would have us do, we are inviting the undoing
18 of all of the otherwise good work that we are doing.

19 We can always come back in lame duck or a
20 subsequent session and revisit this question. But in my
21 experience, and I've had a lot of experience, and I
22 guess people don't think experience matters very much

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1 anymore, but that's okay.

2 But in my experience, the General Assembly,
3 whenever they try to push the envelope too hard and try
4 to go swing for the fences, go for broke, hit the home
5 run, whenever that happens, it generally blows up in
6 our faces. Now, if the amendment passes, the amendment
7 passes.

8 I think it would be a mistake to pass the
9 amendment today. I personally would not have a problem
10 banning green card holders from contributions on the
11 rationale advanced by my friend. But it is not Judge
12 Seitz who makes that decision.

13 It will ultimately be the judges of the
14 federal district, circuit and Supreme Courts of this
15 country. And many of them here in Ohio inclined towards
16 the liberal side of the spectrum.

17 So if we want to get something done and have
18 it be effective in time for the upcoming election,
19 prudentially, we should leave the definition of foreign
20 national alone. And therefore, I would urge that we
21 table the amendment for the reasons stated.

22 REP. STEPHENS: The question is shall the

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1 motion to amend be agreed to? The Chair recognizes
2 Representative Oelslager for a motion.

3 REP. OELSLAGER: Mr. Speaker, I move to lay
4 the amendment on the table.

5 REP. STEPHENS: The question is shall the
6 motion to amend be or the motion be laid upon the
7 table? The House prepare and proceed to vote. All
8 members now voted. Clerk will read the roll.

9 CLERK: Twelve affirmative votes, 82 negative
10 votes. Therefore, the motion to amend was not laid upon
11 the table.

12 REP. STEPHENS: By motion with 12 affirmative
13 votes and 82 negative votes, the motion to lay the
14 amendment on the table did not pass. So the question is
15 shall the motion to amend be agreed to? The House will
16 prepare and proceed to vote.

17 CLERK: I'm sorry.

18 REP. STEPHENS: It's canceled. What?

19 CLERK: This is on the amendment, not on the
20 table. The board is reading it correct.

21 REP. STEPHENS: All right. So the motion on
22 the floor is shall the motion to amend be agreed to?

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1 CLERK: Yeah.

2 REP. STEPHENS: You're going to cancel this
3 one? All right. We'll do a do-over. All right. Have to
4 change the title. Okay. All right. The question is
5 shall the motion to amend be agreed to? The House will
6 prepare and proceed to vote.

7 CLERK: Sorry about that.

8 REP. STEPHENS: All members now voted? The
9 Clerk will read the roll.

10 CLERK: 59 affirmative votes, 36 negative
11 votes.

12 REP. STEPHENS: With 59 affirmative votes and
13 36 negative votes, the motion to amend is agreed to and
14 becomes part of the bill.

15 CLERK: The question is shall the bill as
16 amended pass?

17 REP. STEPHENS: The question is shall the bill
18 as amended pass? The Chair recognizes Representative
19 Sweeney.

20 MS. SWEENEY: This legislature has been deemed
21 the least productive legislature since the creation of
22 state government in Ohio. I find it unbearably ironic

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1 how we find ourselves here today.

2 We find ourselves here in a special election,
3 forced to pass a bill under the guise of banning
4 foreign money because our Governor and members of the
5 majority party in the legislature all of a sudden care
6 about money in our elections.

7 We heard in committee just yesterday from
8 citizens who came from all across the state on a
9 moment's notice, because of course, we had a rush
10 process. And they said loud and clear, we do not trust
11 you.

12 We do not trust you to protect our democracy
13 and they have every reason to be skeptical. Do we
14 really have to ask why they are skeptical? Let's take a
15 walk down memory lane.

16 In my relatively short time in the House, I
17 have watched the majority party bend the rules, subvert
18 the constitution, move the goalpost, so that an
19 unrepresentative, an unaccountable majority can stay in
20 power.

21 Ohioans have watched as this body has refused
22 to adhere to our state's highest court that demanded us

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1 to put maps for the people and not politicians. They've
2 bared witness to this body stripping the power of the
3 entire state school board because they started losing
4 elections.

5 A body that removed the ability for them and
6 their local governments to have special elections and
7 then turn around and resurrect special elections for
8 ourselves with their taxpayer money to the tune of \$20
9 million of their hard-earned money for a failed power
10 grab in August.

11 It seems as though the only time we act is to
12 change the rules of the game to benefit power-hungry
13 politicians that are up against the will of the voters.
14 So how can a legislative body that loves to call itself
15 the people's house, work so defiantly against the
16 people?

17 The answer is political corruption through its
18 unlimited access to dark money. We all know Ohio has
19 been considered the most corrupt state house in the
20 nation.

21 For those seeking to bribe politicians,
22 influence the outcome of our elections, to enact pay to

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1 play legislation, our campaign finance laws in Ohio
2 declare open season, they are screaming Ohio is open to
3 the highest bidder.

4 We all know the real threat to democracy and
5 it is this legislative's body unfettered connection
6 with dark money. We have watched as the FBI has
7 revealed how a bill can really become a law in the
8 state house.

9 They walked us through the step by step
10 process of buying legislations and politicians alike.
11 Ohioans have watched as dark money has rained on their
12 elections to help buy a now imprisoned speaker his
13 gavel.

14 And this bill does nothing to address that.
15 And as many people in this room know all too well,
16 we've seen the same tactics in these past primaries.
17 Millions of dollars being spent with no plausible idea
18 of where it's coming from, what their goal is, what it
19 is that they want, nobody gives anything for free.

20 We know that dark money illegally buys
21 elections, it's been proven in a court of law. We know
22 that it is untraceable without FBI intervention. We

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1 know that it is rampant and ongoing in Ohio. How is it
2 that we are not rushing to fix this problem?

3 How is it the Governor has not called a
4 special election to fix this problem? I have sponsored
5 the Ohio Anti-Corruption Act for the past six years.
6 Unlike the proposal we have before us today, that bill
7 actually gets at what we're pretending to care about in
8 this proposal.

9 This act would actually go deeper to expose
10 secret money in our elections and go after bad actors,
11 foreign or domestic, who want to commit crimes in our
12 state. The philosophy is simple.

13 If you're going to spend money influencing
14 Ohioans, Ohioans deserve to know who you are and what
15 you're about. I find it absurd that we would only cover
16 one portion of this and not expose it across the board.

17 The sponsor is agreeing that this is still
18 going to be difficult to find. We're going to have to
19 rely on a tip, someone knowing about this, compared to
20 allowing everyone to say who is spending money in their
21 elections.

22 Our current laws protect bad actors and we're

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1 not actually getting at it. The current people in power
2 didn't do a single thing to stop the House Bill 6
3 scandal. Now we're going to give them more power and
4 hope that they actually go after people who should be
5 spending money in our elections?

6 Lastly, and I cannot say this more clearly,
7 the bill that's the Ohio Anti-Corruption Act, that I
8 think every single Democrat has been a sponsor on, has
9 been around for decades, has an entire section
10 dedicated to banning foreign money in ballot
11 initiatives. The exact thing we're here to do. It does
12 so simply and effectively-

13 REP. STEPHENS: I'd like to ask the
14 Representative to keep the remarks to this particular
15 bill, please.

16 MS. SWEENEY: Yes, that's what I'm talking
17 about. That this bill is talking about banning foreign
18 money in our elections. We can do that, and I have a
19 bill that would do that, but we're removing three lines
20 in code. The code section that says foreign nationals
21 cannot contribute to political campaigns. We remove the
22 caveat and then it implies to everyone.

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1 Or, if you don't like that way of doing it,
2 there is an amendment in committee that said, let's add
3 on to that and say foreign nationals cannot spend money
4 in their elections for political contributions and in
5 ballot initiatives.

6 That is something that Democrats support. That
7 is something that we want and have been asking for
8 decades. That provision has never received more than
9 the first obligatory hearing.

10 I went back and looked. It is never, I have
11 had no one ever ask a question or support of actually
12 banning foreign money in elections. Why do we think
13 then that now all of a sudden we care?

14 I know that the Ohioans that came to testify
15 said it's because they started winning at the ballot
16 box. I ask you to vote no and work in good faith to
17 actually address a real problem that Democrats have
18 been fighting for for decades.

19 REP. STEPHENS: The question is shall the bill
20 as amended pass? The Chair recognizes Representative
21 Russo.

22 MS. RUSSO: Thank you, Mr. Speaker. I will now

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1 make my motion to adjourn [inaudible]. Pursuant to rule
2 82 and 83, that motion takes precedent.

3 REP. STEPHENS: The question is shall the
4 House stand adjourned? The House will prepare and
5 proceed to vote. Have all members now voted? All
6 members now voted. The Clerk will read the roll,
7 please.

8 CLERK: Thirty-one affirmative votes, 62
9 negative votes.

10 REP. STEPHENS: With 31 affirmative votes and
11 62 negative votes, the House will -- the special --

12 CLERK: The motion is not agreed to.

13 REP. STEPHENS: The motion is not agreed to.
14 The question is shall the bill pass as amended. The
15 chair recognizes Representative Russo.

16 MS. RUSSO: Thank you, Mr. Speaker. I wouldn't
17 be doing my job if I didn't give that a try. So what
18 has transpired over the last week of this special
19 session is anything but special.

20 What this body has done to get us here today
21 with House Bill 1 has been littered with manipulation
22 and lies that some have been telling to the public.

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1 So I am going to directly address the voters
2 who I know many are tuning in today to see what
3 happens, because here's the reality of what's going on.
4 This body and the Chamber across the state house has
5 created a fear factor around so-called foreign money.
6 Money that is already illegal in federal law and
7 applies to state campaigns.

8 It is a fantasy that has been concocted as a
9 Trojan horse to once again attack the people's
10 fundamental freedom to direct democracy and that
11 freedom to change government when that government is no
12 longer accountable, which has been the case in Ohio
13 State government for at least two decades.

14 They are scared and they are desperate. And to
15 the people who are watching, I want to say that many
16 folks in this Chamber, they know what your power is,
17 your actual power. And they know that they are losing
18 because of it.

19 The truth that people need to hear is that
20 House Bill 1 is an attack on citizen-led ballot
21 initiatives. The truth is that you, the people, have
22 defeated various attempts by this body and the body

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1 across the state house to limit your personal freedoms.

2 And the truth is they are trying to do that
3 again and changing the rules because they know what is
4 ahead in November. And to the many people and my
5 colleagues who are here in this room, I say to you, the
6 people are greater, they are braver, and they are
7 stronger, and they are certainly much smarter than you
8 give them a credit for.

9 And despite this preemptive attack against the
10 upcoming citizen-led ballot initiative that will give
11 the people, not the politicians, the power to choose
12 their own government, the people will not be fooled.

13 And come November, they will begin to
14 dismantle your grip on power. Your power grab today
15 will not be forgotten in November, just as it was not
16 forgotten in August when you were defeated, just as it
17 was not forgotten in November, last November, when you
18 were defeated. The people spoke loud and clear last
19 year that the values of many of you in this room and
20 the policies that you pass do not reflect their values.

21 And they will do it again in November in spite
22 of this latest effort, and you will lose again. Mr.

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1 Speaker, I urge a no vote on this bill.

2 REP. STEPHENS: The question is shall the bill
3 as amended pass? The Chair recognizes Representative
4 Peterson.

5 REP. PETERSON: Thank you, Mr. Speaker. And I
6 also want to thank the Governor's Committee that spent
7 the last three days hearing extensive testimony,
8 working through an issue.

9 I certainly want to thank the sponsor who's
10 done extensive work on this issue going back several
11 weeks even. I also want to point out Riley Eberhardt,
12 my staffer who probably had 40 hours of work in by
13 Wednesday afternoon.

14 And all the clerk staff and caucus staff that
15 while this was probably a lighter weekend, we could
16 catch up to celebrate Memorial Holiday in honor of the
17 veterans, and honor those people who lost their life,
18 it became much more than that, and I appreciate the
19 work that all of us have done to get to this point.

20 You know we have been working on this bill in
21 government oversight, some version of this bill for
22 several weeks now because it's an important issue.

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1 No foreign entity, whether it's Vladimir
2 Putin, whether it's a government, whether it's a
3 billionaire, whether it's anybody trying to influence
4 our elections, we should not allow that.

5 Just as we don't allow it in any of our
6 campaigns to take dollars in, we shouldn't allow them
7 to affect any of our elections. When they do that, they
8 take away, they dilute your vote. And I think we should
9 have stopped it years ago. We do have rules in place,
10 but I echo the comments of the sponsor of the bill.

11 Early in my career, I filed an election
12 complaint with the Ohio Elections Commission. They did
13 a great job. They resolved the issue, they addressed
14 the issue, and said that the candidate I was running
15 against lied about me.

16 Unfortunately, that ruling didn't come until
17 six months after the election, after I'd already been
18 seated in office and had served for five and a half
19 months.

20 That's the challenge, and that's why we need
21 this bill and this version of the bill, so that the
22 elections don't get distorted and we don't recognize

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1 that it happened six months or a year or two years,
2 four years after the election.

3 This is important. It's been well vetted. The
4 committee's done work on it, not just this week, but in
5 previous weeks. I urge a yes vote. Ohioans should
6 determine Ohio elections. Please vote yes.

7 REP. STEPHENS: The question is shall the bill
8 as amended pass? The House will prepare and proceed to
9 vote. All members now voted, the Clerk will read the
10 roll.

11 CLERK: Sixty-four affirmative votes, 31
12 negative votes.

13 REP. STEPHENS: With 64 affirmative votes and
14 31 negative votes, having received the required
15 constitutional majority, the bill is hereby passed and
16 entitled.

17 CLERK: An act to enact the revised code to
18 modify the campaign finance law regarding foreign
19 nationals and ballot issues.

20 REP. STEPHENS: The question is shall the
21 title be agreed to? Representative Seitz moves to amend
22 the title.

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1 If you wish to add your name to the title,
2 please do so at this time. Without objection, the title
3 is agreed to. Hearing no objection, the title is agreed
4 to.

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CERTIFICATE OF TRANSCRIBER

2

I, Chris Naaden, a transcriber, hereby declare under penalty of perjury that to the best of my ability from the audio recordings and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome, the above 42 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

11

12

I further declare that I have no interest in the event of the action.

14



15

16

June 6, 2024

17

Chris Naaden

18

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(540606, Ohio House of Representatives - 5-30-2024 -
Special Session)

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Conducted on May 30, 2024

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Exhibit M



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Transcript of Testimony of the Ohio Senate - Special Session

Date: May 31, 2024
Case: 2024 Ohio Campaign Finance Litigation

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6 TRANSCRIPT OF VIDEO-RECORDED
7 TESTIMONY OF THE
8 OHIO SENATE
9 MAY 31, 2024
10 SPECIAL SESSION

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20 Job No.: 540606
21 Pages: 1 - 52
22 Transcribed by: Christian Naaden

Transcript of Testimony of the Ohio Senate - Special Session

Conducted on May 31, 2024

2

1 P R O C E E D I N G S

2 CLERK: Mr. President, I'm directed to inform
3 you that the House of Representative has passed the
4 following bill in which is concurrent to the senate has
5 requested. Amended Substitute House Rule Number 1,
6 representative of sites and others to enact the section
7 of the revised code and modify the campaign finance law
8 regarding foreign nationals and ballot issues.

9 SEN. HUFFMAN: Stands as first consideration
10 the chair recognizes Senator McColley for a motion.

11 SEN. MCCOLLEY: Thank you, Mr. President. I
12 move the Article to Section 15C of the Ohio
13 Constitution requiring a bill to be considered on three
14 different days, be suspended with respect to amended
15 substitute House Bill 1 and that it be considered a
16 second time.

17 SEN. HUFFMAN: The question is, shall the
18 motion be agreed to? Clerk will call the roll.

19 CLERK: Antani?

20 SEN. ANTANI: No.

21 CLERK: Antonio? Blessing?

22 SEN. BLESSING: Yes.

Transcript of Testimony of the Ohio Senate - Special Session

Conducted on May 31, 2024

3

1 CLERK: Brenner?

2 SEN. BRENNER: Yes.

3 CLERK: Chavez?

4 SEN. CHAVEZ: Yes.

5 CLERK: Cirino?

6 SEN. CIRINO: Yes.

7 CLERK: Craig?

8 SEN. CRAIG: Yes.

9 CLERK: Demora?

10 SEN. DEMORA: Yeah.

11 CLERK: Dolan?

12 SEN. DOLAN: Yes.

13 CLERK: Gavarone?

14 SEN. GAVARONE: Yes.

15 CLERK: Hackett?

16 SEN. HACKETT: Yes.

17 CLERK: Hicks? Hudson? Steve Hoffman?

18 SEN. HOFFMAN: Yes.

19 CLERK: Ingram?

20 SEN. INGRAM: Yes.

21 CLERK: Johnson? Kunze?

22 SEN. KUNZE: Yes.

Transcript of Testimony of the Ohio Senate - Special Session

Conducted on May 31, 2024

4

1 CLERK: Landis?

2 SEN. LANDIS: Yes.

3 CLERK: Lang?

4 SEN. LANG: Yes.

5 CLERK: Manning?

6 SEN. MANNING: Yes.

7 CLERK: McColley?

8 SEN. MCCOLLEY: Yes.

9 CLERK: O'Brien?

10 SEN. O'BRIEN: Yes.

11 CLERK: Reineke?

12 SEN. REINEKE: Yes.

13 CLERK: Reynolds?

14 SEN. REYNOLDS: [Inaudible].

15 CLERK: Roegner?

16 SEN. ROEGNER: Yes.

17 CLERK: Romanchuck?

18 SEN. ROMANCHUCK: Yes.

19 CLERK: Rully [ph]?

20 SEN. RULLY: Yes.

21 CLERK: Schaffer?

22 SEN. SCHAFFER: Yes.

Transcript of Testimony of the Ohio Senate - Special Session

Conducted on May 31, 2024

5

1 CLERK: Sherine?

2 SEN. SHERINE: Yes.

3 CLERK: Smith? Sykes?

4 SEN. SYKES: Yeah.

5 CLERK: Wilkin?

6 SEN. WILKIN: Yes.

7 CLERK: President Huffman?

8 SEN. HUFFMAN: Yes. With 30 yays and one nay
9 the motion is agreed to. Chair recognizes Senator
10 McColley for motion.

11 SEN. MCCOLLEY: Thank you, Mr. President. I
12 moved to Article 2, Section 15 C of the Ohio
13 Constitution requiring the bill to be considered on
14 three different days to be suspended with respect to
15 amended substitute House Bill No. 1 and then it will be
16 considered the third time.

17 SEN. HUFFMAN: The question is, shall that
18 motion be agreed to? Please call the roll.

19 CLERK: Antani?

20 SEN. ANTANI: Yes.

21 CLERK: Antonio? Blessing? Brenner? Chavez?

22 SEN. CHAVEZ: Yes.

Transcript of Testimony of the Ohio Senate - Special Session

Conducted on May 31, 2024

6

1 CLERK: Cirino?

2 SEN. CIRINO: Yes.

3 CLERK: Craig?

4 SEN. CRAIG: [Inaudible].

5 SEN. DEMORA: [Inaudible].

6 CLERK: Dolan?

7 SEN. DOLAN: Yes.

8 CLERK: Gavarone? Hackett? Hicks-Hudson? Steve
9 Hoffman?

10 SEN. HOFFMAN: Yes.

11 CLERK: Ingram?

12 SEN. INGRAM: Yes.

13 CLERK: Kunze?

14 SEN. KUNZE: Yes.

15 CLERK: Landis?

16 SEN. LANDIS: Yes.

17 CLERK: Lang?

18 SEN. LANG: Yes.

19 CLERK: Manning?

20 SEN. MANNING: Yes.

21 CLERK: McColley? O'Brien?

22 SEN. O'BRIEN: Yes.

Transcript of Testimony of the Ohio Senate - Special Session

Conducted on May 31, 2024

7

1 CLERK: Reineke? Reynolds? Roegner?

2 SEN. ROEGNER: Yes.

3 CLERK: Romanchuck?

4 SEN. ROMANCHUCK: Yes.

5 CLERK: Rully?

6 SEN. RULLY: Yes.

7 CLERK: Schaffer?

8 SEN. SCHAFFER: Yes.

9 CLERK: Sherine?

10 SEN. SHERINE: Yes.

11 CLERK: Smith?

12 SEN. SMITH: Yes.

13 CLERK: Sykes?

14 SEN. SYKES: Yes.

15 CLERK: Wilkin?

16 SEN. WILKIN: Yes.

17 CLERK: President Huffman?

18 SEN. HUFFMAN: Yes. With 23 yays and eight
19 nays, the motion is agreed to. Bills for third
20 consideration?

21 SEN. SMITH: We've [inaudible].

22 SEN. HUFFMAN: Oh, very good. The question is

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Conducted on May 31, 2024

8

1 shall the bill amended substitute House Bill Number 1
2 pass? And the chair recognizes Senator McColley.

3 SEN. MCCOLLEY: Thank you, Mr. President. I
4 rise in favor of amended substitute House Bill Number
5 1. Without going into extreme detail, I'll just go
6 quickly into what this bill does, given the fact that
7 this will be the fifth time we've voted on some version
8 of this proposal in the chamber.

9 It goes through and it -- it includes the
10 prohibitions that we've voted on before. It would
11 prohi- -- prohibited for a foreign national to make
12 contributions directly into a campaign or through
13 another entity.

14 It also includes the prohibitions that an
15 entity act as a passthrough for those same
16 contributions, and also includes the prohibitions we've
17 already voted on that would prohibit somebody from
18 aiding or facilitating those types of contributions and
19 expenditures.

20 It also includes the provisions we included
21 regarding the travel damages -- the triple damages
22 otherwise known as where if somebody violates this,

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Conducted on May 31, 2024

9

1 they're going to be subject to triple the amount of
2 money that they contributed in fines. They're also --
3 if they received the money as a contribution, they
4 would have to return the money to the donor as well.

5 The criminal offenses are slightly different.
6 And so far, as when we passed our bill, we had a felony
7 five that attached to the campaign treasurer of one of
8 these groups where -- where they would certify
9 initially that they had not received any foreign money
10 and that they would not receive any foreign money.

11 This bill goes as far as saying that there
12 will be criminal penalties but instead it will be a
13 first-degree misdemeanor on the first offense and a
14 fifth degree felony on the second offense for the
15 foreign national who makes the contributions, the
16 entity that receives the money, and for anybody who
17 aids or facilitates. In that case it will only be a
18 first-degree misdemeanor.

19 And as far at the enforcement mechanism that
20 is included in this bill, it vest in the attorney
21 general the enforcement authority to be able to conduct
22 investigations and to be able to bring charges or bring

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Conducted on May 31, 2024

10

1 civil penalties under this section. And so, the
2 attorney general will have the ability to handle that.

3 As we've discussed before, that's important
4 because inherently, we're dealing with what will be an
5 international white-collar scheme to get this money
6 into the State of Ohio. I don't think it's fair to
7 scrap a local prosecutor with that type of case given
8 the bandwidth that they may or may not have and given
9 the international nature of this, the attorney general
10 is better suited to handle these types of cases.

11 Now, what doesn't it do compared to some of
12 the things we passed. Notably, some of the changes we
13 had to the definition of expenditure and independent
14 expenditure did not make it into this version. The
15 version that requires committees in charge of statewide
16 vowed initiatives and referendas to register as packs
17 is not in this version.

18 It only applies to foreign national
19 prohibition to statewide ballot issues and of course,
20 candidate elections that were already illegal under
21 Ohio law but not to local ballot issues. It removes the
22 treasurer certification as I discussed before and

Transcript of Testimony of the Ohio Senate - Special Session

Conducted on May 31, 2024

11

1 removes language that would have better guarded against
2 the comingling of these types of funds into an account
3 and then using that account for expenditures going
4 forward.

5 Ultimately, this bill is weaker. I'll be
6 honest, this bill is weaker than what we have passed
7 out of the senate previously. However, I do -- do think
8 it still is a step in the right direction, it's still a
9 bill worth passing, and it's still a bill that
10 identifies this clear and present threat that we have
11 to our elections and something that we should be taking
12 care of going forward and we should be taking care of
13 immediately. I urge passage of the bill.

14 SEN. HUFFMAN: Thank you, Senator. Chair,
15 recognize Senator Demora.

16 SEN. DEMORA: Thank you, Mr. President. I move
17 to amend with the number that ends in 2273.

18 SEN. HUFFMAN: Amendment is in order. I
19 appreciate --

20 SEN. DEMORA: May I speak both for the
21 amendment and then --

22 SEN. HUFFMAN: Absolutely.

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Conducted on May 31, 2024

12

1 SEN. DEMORA: -- and then after the --

2 SEN. HUFFMAN: Yes. Sure.

3 SEN. DEMORA: Okay. Thank you, Mr. President.

4 So this amendment is very simple. This amendment would
5 get rid of foreign money on ballot issues and only get
6 rid of foreign money on ballot issues.

7 It's basically -- it adds -- it attracts all
8 the other stuff and it adds, I think it's eight or nine
9 words that says that no foreign money can be used for
10 ballot measures in Ohio.

11 It's plain and simple and does what the
12 majority has wanted to do, that the minority has never
13 been against, is banning foreign money on ballot
14 issues. Thank you, Mr. President.

15 SEN. HUFFMAN: Thank you. We -- we'll -- we'll
16 deal with the amendment and then we'll recognize to
17 speak to the bill.

18 SEN. DEMORA: Okay. Thank you, sir.

19 SEN. HUFFMAN: That's all right, Senator.

20 Senator McColley is recognized to speak to the proposed
21 amendment.

22 SEN. MCCOLLEY: Thank you, Mr. President. I

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13

1 rise in opposition to the amendment because what it
2 really does, is it fails to put in place any legitimate
3 penalties that would act as deterrents to this type of
4 activity.

5 Let's keep in mind that we're talking about
6 multi-million dollar schemes sometimes orchestrated by
7 groups that have over a billion dollars under their
8 management or multi billion dollars under their
9 management or billionaires who are coming in and trying
10 to put their thumb on the scale in Ohio's elections.

11 Without the penalties included in this bill,
12 there's going to be simple cost benefit analysis done
13 by man of these people and they're probably going to
14 decide it's still worth going awry of the statue if it
15 means that they can still contribute and put their
16 thumb on the scale in the State of Ohio and interfere
17 with our elections as a foreigner in the State of Ohio.

18 And so, I would urge and argue that even
19 though the -- the other side of Ohio had indicated that
20 they would be against this type of activity, evidently,
21 they may not be in favor of levying serious penalties
22 for this type of activity. And so, I would urge that we

Transcript of Testimony of the Ohio Senate - Special Session

Conducted on May 31, 2024

14

1 defeat the amendment.

2 SEN. HUFFMAN: Thank you, Senator. Chair
3 recognizes Senator Gavarone.

4 SEN. GAVARONE: Thank you, Mr. President. I
5 move that we lay the amendment upon the table.

6 SEN. HUFFMAN: Motion is to lay the amendment
7 on the table. Please call the roll.

8 CLERK: Antani?

9 SEN. ANTANI: Yes.

10 CLERK: Antonio?

11 SEN. ANTONIO: No.

12 CLERK: Blessing?

13 SEN. BLESSING: Yes.

14 CLERK: Brenner?

15 SEN. BRENNER: Yes.

16 CLERK: Chavez?

17 SEN. CHAVEZ: Yeah.

18 CLERK: Cirino?

19 SEN. CIRINO: Yes.

20 CLERK: Craig?

21 SEN. CRAIG: No.

22 CLERK: Demora?

Transcript of Testimony of the Ohio Senate - Special Session

Conducted on May 31, 2024

15

1 SEN. DEMORA: No.

2 CLERK: Dolan?

3 SEN. DOLAN: Yes.

4 CLERK: Gavarone?

5 SEN. GAVARONE: Yes.

6 CLERK: Hackett?

7 SEN. HACKETT: Yes.

8 CLERK: Hicks-Hudson?

9 SEN. HICKS-HUDSON: No.

10 CLERK: Steve Hoffman?

11 SEN. HOFFMAN: Yes.

12 CLERK: Ingram?

13 SEN. INGRAM: No.

14 CLERK: Kunze?

15 SEN. KUNZE: No.

16 CLERK: Landis?

17 SEN. LANDIS: Yes.

18 CLERK: Lang?

19 SEN. LANG: Yes.

20 CLERK: Manning?

21 SEN. MANNING: Yes.

22 CLERK: McColley?

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Conducted on May 31, 2024

16

1 SEN. MCCOLLEY: Yes.

2 CLERK: O'Brien?

3 SEN. O'BRIEN: Yes.

4 CLERK: Reineke?

5 SEN. REINEKE: Yes.

6 CLERK: Reynolds?

7 SEN. REYNOLDS: Yes.

8 CLERK: Roegner?

9 SEN. ROEGNER: Yes.

10 CLERK: Romanchuck?

11 SEN. ROMANCHUCK: Yes.

12 CLERK: Rully?

13 SEN. RULLY: Yes.

14 CLERK: Schaffer?

15 SEN. SCHAFFER: Yes.

16 CLERK: Sherine?

17 SEN. SHERINE: Yes.

18 CLERK: Smith?

19 SEN. SMITH: Yes.

20 CLERK: Sykes?

21 SEN. SYKES: No.

22 CLERK: Wilkin?

Transcript of Testimony of the Ohio Senate - Special Session

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17

1 SEN. WILKIN: Yes.

2 CLERK: President Huffman?

3 SEN. HUFFMAN: Yes. By vote of 24 to 7, the
4 amendment is laid on the table. Senator Demora is
5 recognized to speak to the bill.

6 SEN. DEMORA: Thank you, Mr. President. So, as
7 my colleague said, this is the fifth time that we've
8 talked about this and so I'll talk about it for the
9 fifth just to be consistent. Actually, I talked about
10 it in committees, so I think it's my sixth or seventh
11 time.

12 Again, un- -- unlike what the majority
13 communications director has to say about me and my
14 colleagues, we are against foreign money and we just
15 try to offer an amendment to band foreign money but I
16 guess that wasn't good enough because we've all known
17 all along that this bill is not just for banding
18 foreign money, it is for basically giving -- taking
19 away rights of people due to ballot issues. It's giving
20 power to the attorney general who in my mind doesn't
21 deserve any extra power because he can't do the job he
22 has now.

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Conducted on May 31, 2024

18

1 This bill hurts citizens and hurts the ability
2 for citizens to participate in ballot issues. And
3 another thing that we've done today that, I guess from
4 the time first in committee through today is, no --
5 nobody in the senate has ever been able to testify in
6 opposition to all the stuff we've done because they've
7 all been amendments to other bills.

8 This has been -- we -- we waived the
9 constitutional provisions for three hearings today and
10 so nobody has ever been able to testify about the
11 benefits and/or the negative things about this bill in
12 hearing, in this chamber.

13 It's supposed to be the people's house, yet
14 we've not given the people any ability to talk about
15 why this would be bad for the State of Ohio. So with --
16 with those two things in mind, it will be the last time
17 I speak on this bill I hope. I mean, who -- who knows,
18 but I urge a no vote. Thank you, Mr. President.

19 SEN. HUFFMAN: Thank you, Senator. Senator
20 Antani is recognized for purposes of presentation of an
21 amendment. Senator.

22 SEN. ANTANI: Thank you, Mr. President. Move

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Conducted on May 31, 2024

19

1 to amend with AM2275.

2 SEN. HUFFMAN: The amendment is ordered.

3 Proceed.

4 SEN. ANTANI: Thank you, Mr. President for
5 allowing me to rise to offer this amendment. Overall, I
6 support the goal of this bill, which is to prohibit
7 foreigners from being able to contribute to -- to
8 ballot issues, which is why I -- I voted for Senate
9 Bill 215 when it came out of the senate.

10 And I think that hopefully it will accomplish
11 that. However, that bill, Senate Bill 215 and now the
12 bill coming back from the house, goes a step further,
13 which is to say that the definition of foreign national
14 includes lawful permanent residents commonly known as
15 green card holders.

16 That is a big departure from longstanding
17 federal law and presents an incredible issue to this
18 bill. Just yesterday people were surprised with the
19 Democrats voted against the table in motion of the
20 amendment that put this language into the bill, because
21 the Democrats want this in this bill so they can sue
22 over it to get it struck down.

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20

1 It's long-standing supreme court law now via
2 Citizens United, via Buckley that speech is money, that
3 freedom of speech means you can donate to candidates
4 and campaigns. That's long-standing case law. What's
5 also long-standing case law since 1945, is to say that
6 permanent lawful residents have the right to freedom of
7 speech. That is going to get sued over in this bill.

8 And the entire thing is going to get struck
9 down because we as the legislature are overreaching.
10 Lawful permanent residents have the right to free
11 speech, donating to candidates and campaigns.

12 By the way, this bi- -- this bill is supposed
13 to be about ballot issues, but it extends the
14 prohibition on green card holders to candidates as
15 well, to candidates, but this is supposed to be about
16 ballot issues only. And so, I want foreign nationals to
17 be prohibited from giving to ballot issues and
18 campaigns.

19 I don't know how this gets around the C4
20 issue, but I think it at least prohibits a ballot issue
21 campaign from accepting foreign national money. That's
22 -- that's a good thing. But green card holders, they

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21

1 absolutely have the right to freedom of speech, and
2 absolutely donating to campaigns and candidates is free
3 speech.

4 And so, this is going to get mucked up in the
5 courts. I want to see a bill that goes into law. I want
6 to see a bill that prohibits foreign nationals from
7 donating to ballot issue campaigns as they are
8 prohibited from donating the candidates. But changing
9 this long departure from federal law, a -- a critical
10 free speech issue is going to cause this bill to get
11 struck down, and so I urge your support.

12 SEN. HUFFMAN: Thank you. Chair recognizes
13 Senator McColley for purposes of addressing the
14 amendment.

15 SEN. MCCOLLEY: Thank you, Mr. President. I
16 rise in opposition because one of the cases that wasn't
17 mentioned was Blooming vs. FEC that I suspect we're
18 going to take a deeper dive on -- later on in today's
19 argument. But in essence, that case made it very clear
20 that it is a compelling government interest.

21 Even though free speech is guarded, it is a
22 compelling government interest for the United States to

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22

1 separate citizens from non-citizens, and so far, as a
2 concern, their participation an acts of self-
3 governance, which not only includes by the opinion
4 voting but it also includes the act of political
5 contributions.

6 And while in that case it didn't expressly
7 deal with the foreign nationals not being able to
8 contribute, if you read the opinion and you read it
9 carefully, it makes it very clear that the legislatures
10 can appeal -- can proceed piecemeal on this approach,
11 and it does grant foreign natio- -- or, excuse me,
12 green card holders the express ability to be able to
13 contribute in these cases.

14 And in fact, it spends more time talking about
15 the difference between citizens and non-citizens, which
16 green card holders are not citizens. I urge that we
17 defeat the amendment.

18 SEN. HUFFMAN: Good. Chair recognizes Senator
19 Gavarone for a motion.

20 SEN. GAVARONE: Thank you, Mr. President. I
21 move that we lay the amendment upon the table.

22 SEN. HUFFMAN: The motion is to lay the

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Conducted on May 31, 2024

23

1 amendment on the table. Please call the roll.

2 CLERK: Antani?

3 SEN. ANTANI: No.

4 CLERK: Antonio?

5 SEN. ANTONIO: Yes.

6 CLERK: Blessing?

7 SEN. BLESSING: Yes.

8 CLERK: Brenner?

9 SEN. BRENNER: Yes.

10 CLERK: Chavez

11 SEN. CHAVEZ: Yes.

12 CLERK: Cirino?

13 SEN. CIRINO: Yes.

14 CLERK: Craig?

15 SEN. CRAIG: Yes.

16 CLERK: Demora?

17 SEN. DEMORA: Yes.

18 CLERK: Dolan?

19 SEN. DOLAN: Yes.

20 CLERK: Gavarone?

21 SEN. GAVARONE: Yes.

22 CLERK: Hackett?

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Conducted on May 31, 2024

24

1 SEN. HACKETT: Yes.

2 CLERK: Hicks-Hudson? Steve Hoffman?

3 SEN. HACKETT: Yes.

4 CLERK: Ingram?

5 SEN. INGRAM: Yes.

6 CLERK: Kunze?

7 SEN. KUNZE: No.

8 CLERK: Landis?

9 SEN. LANDIS: Yes.

10 CLERK: Lang?

11 SEN. LANG: Yes.

12 CLERK: Manning?

13 SEN. MANNING: Yes.

14 CLERK: McColley?

15 SEN. MCCOLLEY: Yes.

16 CLERK: O'Brien?

17 SEN. O'BRIEN: Yes.

18 CLERK: Reineke?

19 SEN. REINEKE: Yes.

20 CLERK: Reynolds?

21 SEN. REYNOLDS: No.

22 CLERK: Roegner?

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25

1 SEN. ROEGLER: Yes.

2 CLERK: Romanchuck?

3 SEN. ROMANCHUCK: Yes.

4 CLERK: Rully?

5 SEN. RULLY: Yes.

6 CLERK: Schaffer?

7 SEN. SCHAFFER: Yes.

8 CLERK: Sherine?

9 SEN. SHERINE: Yes.

10 CLERK: Smith?

11 SEN. SMITH: Yes.

12 CLERK: Sykes?

13 SEN. SYKES: Yes.

14 CLERK: Wilkin?

15 SEN. WILKIN: Yes.

16 CLERK: President Huffman?

17 SEN. HUFFMAN: Yes. By a vote of 30 to 1, the
18 amendment is laid on the table. Senator Blessing
19 recognized to speak to the bill. Senator.

20 SEN. BLESSING: Thanks, Mr. President. I will
21 be brief because I've been told to be brief by a few of
22 my colleagues. But, you know, I just wanted to say I'm

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1 in support of House Bill 1 but I have to agree with my
2 Democratic colleagues that money overall is a major
3 problem.

4 Why is it okay for an American billionaire to
5 dump millions into a campaign? It's still bad and it
6 brings to mind Justice Louis Brandeis' admonishment
7 that we can have vast wealth in the hands of a few or
8 we can have democracy. We cannot have both.

9 He was right then and right today. But all
10 this is downstream from the real problem. The collapse
11 of anti-trust enforcement in the United States over the
12 last 40 years. Concentration of economic power leads to
13 concentration of political power, which corrupts our
14 Democratic process.

15 It should come as no surprise that things like
16 direct election of senators, initiative and referendum,
17 and others came about during the early 20th century, a
18 time of political and technological upheaval on the
19 hales of gilded age excesses. Many were called the
20 illustration, the bosses of the senate.

21 If we really wish to solve the problem of
22 money and politics, then a reexamination of anti-trust

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1 should be at the top of the list. Thank you, Mr.
2 President.

3 SEN. HUFFMAN: Thank you, Senator. Senator
4 Ingram is recognized for purposes of an amendment.

5 SEN. INGRAM: Thank you, Mr. President. I rise
6 to present Amendment No. 2271.

7 SEN. HUFFMAN: The amendment is in order.
8 Proceed.

9 SEN. INGRAM: Thank you, Mr. President.
10 Actually, this is quite simple. It eliminates the
11 provision of the bill to give the attorney general
12 exclusive authority to prosecute violations of the
13 bill, requires that the Ohio Elections Commission
14 determines that the bill has been violated, the OEC
15 must either impose the full amount of the applicable
16 financial penalty or refer the matter to the
17 appropriate prosecutor as determined under current law.

18 Mr. President, I appreciate the fact that some
19 folks say that local prosecutors have so much to do and
20 have little staff and all those other things. The
21 reality is, is that unfortunately in these times
22 especially, that to put that prosecution or that

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1 determination, that investigation into the hands of the
2 attorney general would be detrimental to -- detrimental
3 to some of the issues that are there on the ballot.

4 Some of those folks has nothing to do with
5 money coming from Switzerland and wherever you said
6 happening in issue one of last October, last November.
7 It has to do with the idea that we do not need another
8 way for people to be penalized.

9 You serve the possibility that the people want
10 that change and of course, if you determine that that
11 money and the attorney general is the only person
12 making that determination, then shame on us for
13 allowing that to happen. So it therefore, should be
14 back in the hands of the -- the Ohio Elections
15 Commission for them to make that determined, for them
16 to do that investigation, those penalties.

17 And of course, another thing that happens is,
18 is that there is no mention of any timelines. Like
19 right now, the OEC has deadlines that they have to
20 meet, 90 days, 60 days, whatever has to happen in those
21 penalties, and that's not here. I don't think it was
22 intended to be here. So I rise to make that amendment

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1 and hopefully you will allow it to not be taped.

2 SEN. HUFFMAN: Thank you, Senator. The chair
3 recognizes Senator McColley for purposes of addressing
4 the amendment.

5 SEN. MCCOLLEY: Thank you, Mr. President. And
6 as I've detailed before, these cases are inherently
7 complex. These cases are inherently international.
8 These cases are inherently going to take an awful lot
9 of time and difficulty and are going to need to full
10 force and effect of the state government behind them.

11 And frankly, as much as people may argue that
12 the attorney general shouldn't handle these types of
13 cases and that maybe he is acting in bad faith in this
14 case or another case or whatever the case may be.

15 The truth of the matter is, the attorney
16 general was just elected by -- by a 20-point margin in
17 our most recent statewide election. And so, the people
18 of Ohio have voted to make sure the attorney general
19 stay -- the attorney. They felt he was doing a good
20 enough job to elect him by a 60 to 40 margin. And in
21 this case, I don't see any problem with giving the
22 attorney general this type of authority with the full

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1 weight, force, and effect of the State of Ohio, given
2 the fact that these initiatives are inherently
3 statewide initiatives. Thank you, Mr. President.

4 SEN. HUFFMAN: Thank you, Senator. Senator
5 Gavarone is recognized for purposes of the motion.

6 SEN. GAVARONE: Thank you, Mr. President. I
7 move that we lay the amendment upon the table.

8 SEN. HUFFMAN: The motion is to lay the
9 amendment on the table. Please call the roll.

10 CLERK: Antani?

11 SEN. ANTANI: Yes.

12 CLERK: Antonio?

13 SEN. ANTONIO: No.

14 CLERK: Blessing?

15 SEN. BLESSING: Yes.

16 CLERK: Brenner.

17 SEN. BRENNER: Yes.

18 CLERK: Chavez?

19 SEN. CHAVEZ: Yes.

20 CLERK: Cirino?

21 SEN. CIRINO: Yes.

22 CLERK: Craig

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1 SEN. CRAIG: Yes.

2 CLERK: Demora?

3 SEN. DEMORA: No.

4 CLERK: Dolan?

5 SEN. DOLAN: Yes.

6 CLERK: Gavarone?

7 SEN. GAVARONE: Yes.

8 CLERK: Hackett?

9 SEN. HACKETT: Yes.

10 CLERK: Hicks-Hudson?

11 SEN. HICKS-HUDSON: [Inaudible].

12 CLERK: Steve Hoffman?

13 SEN. HOFFMAN: Yes.

14 CLERK: Ingram?

15 SEN. INGRAM: No.

16 CLERK: Kunze?

17 SEN. KUNZE: Yes.

18 CLERK: Landis?

19 SEN. LANDIS: Yes.

20 CLERK: Lang?

21 SEN. LANG: Yes.

22 CLERK: Manning?

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1 SEN. MANNING: Yes.

2 CLERK: McColley?

3 SEN. MCCOLLEY: Yes.

4 CLERK: O'Brien?

5 SEN. O'BRIEN: Yes.

6 CLERK: Reineke?

7 SEN. REINEKE: No.

8 CLERK: Reynolds? Roegner?

9 SEN. ROEGNER: No.

10 CLERK: Romanchuck?

11 SEN. ROMANCHUCK: [Inaudible].

12 CLERK: Rully?

13 SEN. RULLY: Yes.

14 CLERK: Schaffer?

15 SEN. SCHAFFER: Yes.

16 CLERK: Sherine?

17 SEN. SHERINE: Yes.

18 CLERK: Smith?

19 SEN. SMITH: Yep.

20 CLERK: Sykes?

21 SEN. SYKES: No.

22 CLERK: Wilkin?

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1 SEN. WILKIN: Yes.

2 CLERK: President Huffman?

3 SEN. HUFFMAN: Yes. With 24 yays and seven
4 nays, the amendment is tabled. The chair recognizes
5 Senator Smith for purposes of an amendment.

6 SEN. SMITH: Thank you, Mr. President. Move to
7 amend with Amendment Number AM1352270.

8 SEN. HUFFMAN: The amendment is order. Please
9 proceed.

10 SEN. SMITH: Thank you, Mr. President. This
11 amendment would prohibit public utilities from
12 recovering political expenditure costs. If we fully
13 wanted to meaningfully address campaign finance or
14 form, we could require dark money groups to identify
15 their contributions and disclose their spending.

16 We could work on real solutions that put hard
17 working everyday Ohioans over corrupt corporation --
18 corporations and politicians. Unfortunately, we in this
19 -- the, in the Ohio General Assembly have a reputation
20 as a result of recent investigations as being one of
21 the most corrupt states in the country and this
22 amendment would help alleviate that.

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1 In January 2023, the Energy and Policy
2 Institute re- -- released a report entitled getting
3 politics out of the utility bills. The report begins
4 with the following statement, "America's monopoly
5 electric and gas utilities are using the money that
6 they collect from customers monthly bills to fund
7 political machines that puts legislation curry favor
8 from regulators and alter the outcomes of elections,
9 sometimes even breaking the law."

10 This legislation would do two things. It would
11 prevent utilities from using rate payer money for
12 political activity and will require mandatory
13 disclosures that provide greater visibility into
14 utilities political spending.

15 In the most general terms, Mr. President and
16 colleagues of the senate, utility customers should not
17 be forced to pay for political activity that they may
18 not agree with. Eleven states have already introduced
19 this legislation. Three states have passed it, and
20 those states being Colorado, Connecticut, and Maine.

21 In a 2020 -- it's been reported that in a 2020
22 presentation, FirstEnergy executive, Michel Dylan

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1 explained the reason FirstEnergy liked dark money was
2 it allowed the count- -- the company to be deceptive.
3 He said, "Our preferred manner of giving is through
4 Section 501C groups, as these are considered dark money
5 because they are not required to disclose where their
6 donations come from."

7 The clear and present threat to Ohio's
8 democracy is not overseas. It has a 330 area code. But
9 as best as we can tell, FirstEnergy contributed \$2.5
10 million under their own name and about \$63 million
11 through dark money, totaling \$65.5 million. But here is
12 the thing, all of these contributions were secret. The
13 actual total amount could be much bigger. This is the
14 multi-million-dollar scheme that we should be trying to
15 prohibit.

16 Mr. President and members of the senate, this
17 amendment would broaden the scope of Special Session
18 House Bill 1, so that bad actors, foreign or domestic
19 would be prohibited, and I urge its adaption. Thank
20 you, Mr. President.

21 SEN. HUFFMAN: Thank you, Senator. The chair
22 recognizes Senator McColley for purposes of addressing

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1 the amendment.

2 SEN. MCCOLLEY: Thank you, Mr. President. As I
3 stated, today is the -- the days are running together -
4 - as I stated the last time we were in session, this is
5 an issue that I -- I think may be worthy of a
6 conversation but I think it needs an awful lot more
7 thought and deliberation.

8 Anytime we deal with first amendment protected
9 speech, and as -- as been already pointed out, Citizens
10 United protects the speech even of these utility
11 companies, believe it or not -- we need to make sure we
12 threat lightly because there could be circumstances in
13 which we trample upon the first amendment and
14 ultimately finds ourselves in a position where the law
15 eventually gets thrown out.

16 We need to make sure we do the due diligence
17 as we have in various versions of this foreign national
18 contributions band to make sure that we are not
19 crossing the line and violating First Amendment Rights.
20 So, worthy of further conversation but not under the
21 context of this bill. Thank you.

22 SEN. HUFFMAN: Thank you, Senator. Senator

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1 Gavarone's recognized for purposes of the motion.

2 SEN. GAVARONE: Thank you, Mr. President. I
3 move that we lay the amendment upon the table.

4 SEN. HUFFMAN: Move -- the motion is to lay
5 the amendment on the table. Please call the roll.

6 CLERK: Antani?

7 SEN. ANTANI: No.

8 CLERK: Antonio?

9 SEN. ANTONIO: No.

10 CLERK: Blessing?

11 SEN. BLESSING: No.

12 CLERK: Brenner?

13 SEN. BRENNER: Yes.

14 CLERK: Chavez?

15 SEN. CHAVEZ: Yes.

16 CLERK: Cirino?

17 SEN. CIRINO: Yes.

18 CLERK: Craig?

19 SEN. CRAIG: No.

20 CLERK: Demora?

21 SEN. DEMORA: No.

22 CLERK: Dolan?

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1 SEN. DOLAN: Yes.

2 CLERK: Gavarone?

3 SEN. GAVARONE: Yes.

4 CLERK: Hackett?

5 SEN. HACKETT: Yes.

6 CLERK: Hicks-Hudson?

7 SEN. HICKS-HUDSON: No.

8 CLERK: Steve Hoffman?

9 SEN. HOFFMAN: Yeah.

10 CLERK: Ingram?

11 SEN. INGRAM: No.

12 CLERK: Kunze?

13 SEN. KUNZE: No.

14 CLERK: Landis?

15 SEN. LANDIS: Yes.

16 CLERK: Lang?

17 SEN. LANG: Yes.

18 CLERK: Manning?

19 SEN. MANNING: Yes.

20 CLERK: McColley?

21 SEN. MCCOLLEY: Yes.

22 CLERK: O'Brien?

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1 SEN. O'BRIEN: Yes.

2 CLERK: Reineke?

3 SEN. REINEKE: Yes.

4 CLERK: Reynolds?

5 SEN. REYNOLDS: Yes.

6 CLERK: Roegner?

7 SEN. ROEGNER: Yes.

8 CLERK: Romanchuck?

9 SEN. ROMANCHUCK: No.

10 CLERK: Rully?

11 SEN. RULLY: Yes.

12 CLERK: Schaffer?

13 SEN. SCHAFFER: No.

14 CLERK: Sherine?

15 SEN. SHERINE: Yes.

16 CLERK: Smith?

17 SEN. SMITH: No.

18 CLERK: Sykes? Wilkin?

19 SEN. WILKIN: Yes.

20 CLERK: President Huffman?

21 SEN. HUFFMAN: Yes. By a vote of 21 yays and
nays, the amendment is laid on the table. The chair
22 recognizes Senator Antonio for purposes of speaking to

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1 the bill. Senator Antonio.

2 SEN. ANTONIO: Thank you, Mr. President. Well,
3 how many times has been? Here we are again. I rise in
4 opposition to House Bill 1 and as for all the reasons
5 the Democrats have offered amendments in terms of the
6 concern that we have with a non-inclusion, we are not
7 addressing dark money. I appreciate the comments from
8 our colleague and look forward to further discussions
9 about how can we make sure that dark money is not
10 coming into our elections process.

11 But in the meantime, what's happened in what
12 I've heard referred to a couple times no is a watered-
13 down version of what -- what the bill started as. I
14 still think that there's -- I don't know about it being
15 watered down or diluted, but I think that the outcome
16 is still very, very dangerous.

17 And we've talked a lot about a poison pill. I
18 still believe there is enough poison in this bill to
19 really kill the will of the people as they go and bring
20 forth ballot initiatives. So now, however, this version
21 also really adds an incredible amount of power to the
22 attorney general's office, someone who interestingly

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1 enough said, "I did not ask for the authority in this
2 bill. I don't care whether it's in my office or someone
3 else does the work."

4 So while he may have been elected by a
5 majority of Ohioans as has been indicated over his
6 opponent, he's indicating to us that he really doesn't
7 necessarily want to take this on. Frankly, someone who
8 has shown themselves to be partisan on many issues that
9 he's taken up, gives me great cause and great concern
10 about putting so much of this kind of power into an
11 office, into a single person's office.

12 It was interesting that the hearings over in
13 the house, we paid attention as this bill was moving
14 through the house, and we heard testimony with concern.
15 We also heard testimony that reinforces something the
16 democrats have been saying in the house, in the senate,
17 over and over again, foreign money is prohibited under
18 a opinion by the Ohio Elections Commission that
19 determine Ohio statutory structure sufficiently
20 prohibits the involvement of any foreign national from
21 participating in or contributing to an issue or
22 question that will appear on the ballot. We have been

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1 saying this.

2 The attorney general also has a role already
3 in ballot campaigns. But giving him the second role
4 doesn't create the proper checks and balances that we
5 all, not only embrace, but lift up as necessary. We'd
6 like to believe -- I'd like to believe -- Catherine
7 Turcer testified in the house and she said she'd like
8 to believe that no AG would abuse their role in the
9 process, but it could be tempting.

10 We need to make sure checks and balances are
11 there. We have an Ohio Elections Commission right now.
12 A better approach would be to really allow them to do
13 the work that they need to do. Perhaps we should staff
14 them up a little bit to make sure that they can make
15 timely investigation is and give them broader
16 investigative power and perhaps a larger budget.

17 But nothing in this legislation addressing how
18 the lack of transparency led to House Bill 6 and the
19 corruption scandal that still hangs as a cloud over our
20 heads.

21 You know, a few days ago, I spoke about these
22 bills and I called them a trojan horse. I said they

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1 looked innocent but they had the power to destroy the
2 voice of the people and quash their ability to be able
3 to bring something to the ballot, a ballot initiative.

4 You know, ballot initiatives are only brought
5 when the people say that the legislature is out of
6 stock with their wishes, with their opinions, with how
7 they want to be treated in the State of Ohio.

8 Often, it's trying to get their rights back.
9 So they've told us over and over again that this
10 legislature is out of stock. But we keep on keeping on
11 and now we're going to erode the power of the Ohio
12 Elections Commission, give more power to the attorney
13 general. It is complex but I still believe there is
14 going be a question about how -- enforcement even with
15 this bill.

16 And I wonder at what point is the federal
17 government going to be asked to assist in enforcement
18 in actually carrying this legislation forward or at
19 least the will, the ideas, the desire behind this --
20 this piece of legislation.

21 We haven't dealt with the issues of dark money
22 and the scandal that still, as I said, hangs over us. I

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1 don't believe that Ohioans are getting a fair shake
2 with this bill. I do believe that in spite of this
3 bill, in spite of this legislation, the people of Ohio
4 will prevail just as they have in the past three times.
5 We've seen the work that they can do.

6 Never doubt the ability of a small group of
7 people to change the world. Indeed, it's the only thing
8 that ever has. Margeret Mead was right when she said
9 that. I believe the people of Ohio will prevail with or
10 without this piece of legislation, but I urge a no
11 vote.

12 SEN. HUFFMAN: Thank you, Leader Antonio.
13 Chair recognizes Senator McColley.

14 SEN. MCCOLLEY: Thank you, Mr. President. I
15 wasn't planning on getting up and speaking but I wanted
16 to address one issue in particular, but it -- it was
17 suggested that this bill with her participation and
18 ballot issues was dangerous and it would kill the will
19 of the people. The people voted over 70 percent nearly
20 a few years ago to say that non-citizens should not be
21 able to vote in Ohio's elections.

22 I suspect the will of the people would also be

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1 that non-citizens should not be able to do in Ohio
2 elections. So it's been suggested as well that this is
3 already illegal and that somehow this -- what we're
4 doing is duplicative.

5 Let me -- let me go into a little analysis on
6 that. Some people have suggested that it is already
7 illegal at the federal level, but the truth of the
8 matter is that the current federal statute does not
9 consider issues elections as elections, and therefore,
10 the FEC does not have the ability to regulate those
11 elections. And in fact, there were legislative
12 recommend- -- recommendations offered by the FEC as
13 recently as December 14th, 2023, in which it laid out
14 its highest priority legislative recommendations.

15 The fifth highest priority was amend the
16 foreign national prohibition to include state and local
17 ballot initiatives, referenda, and recall elections. It
18 also said that it would need to do that, that congress
19 would need to do that in order for the FEC and federal
20 law to be able to ban foreign national contributions
21 in federal elections. That is the FEC saying that.

22 That is also reflected in the bipartisan

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1 action that we've seen in congress very recently where
2 a bipartisan house administration committee voted out
3 unanimously a ban on foreign national interference
4 through their contributions in state-wide and local
5 issues elections.

6 So it would appear that the federal government
7 itself doesn't agree with the characterization that
8 this is already illegal. Now, looking at the OEC
9 opinion, it specifically makes reference to a specific
10 division of this section that deals with this kind of
11 conduct.

12 One of the first divisions deals with a
13 specific unambiguous very clear ban in the law that
14 talks about how you cannot spend foreign money in a
15 candidate election. No ambiguity whatsoever.

16 The OEC opinion, which has never been
17 litigated, has never gone in front of a court of law
18 regarding foreign national contributions and foreign
19 election and appearance in our issues elections, relies
20 on a section that -- or a division that is near that
21 division, that also talks about how general elections
22 spending would be illegal for foreign nationals.

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1 It doesn't spell out in an ambiguous clear
2 fashion that these types of expenditures are
3 prohibited. So while I respect the people at the OEC
4 and their personal opinion, it's very real possibility
5 that a court of competent jurisdiction could come to a
6 very different opinion in the event that this ever
7 wound up in a court and could end up with a different
8 interpretation of that law, which gets us to where we
9 are today.

10 If it's -- even if you assume that it is
11 illegal, then we absolutely should do this. If you
12 assumed that it is already legal, then we should do it
13 anyway. Or excuse me, I had that backwards. If you
14 assume that this is legal, then we should do it anyway
15 to rectify the ambiguity that is in the statute right
16 now. If you assume that it is illegal, then we should
17 absolutely do it. Moreover, if it were already
18 illegal and if the foreign nationals who we know are
19 contributing into Ohio's elections actually shared that
20 opinion, the cost benefit analysis that I referenced
21 earlier that they are already making as to the
22 likelihood of them succeeding if they ever have to go

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1 to court on this and the likelihood of them ever having
2 to pay any sort of reasonable penalties that is
3 associated with this, they wouldn't be making all these
4 contributions into Ohio through their dark money
5 entities. They wouldn't be making these types of
6 contributions. Yes, they are.

7 That in and of itself highlights the need for
8 us at the very best to rectify the ambiguity and at the
9 very worst, to actually prohibit this in Ohio law with
10 actual penalties that are going to be legitimate
11 deterrents to this type of activity, because currently
12 at the very best case, this is ambiguous and there are
13 no penalties. Thank you, Mr. President.

14 SEN. HUFFMAN: Thank you, Senator. The
15 question is, shall the bill pass? Please call the roll.

16 CLERK: Antani?

17 SEN. ANTANI: Yes.

18 CLERK: Antonio? Blessing?

19 SEN. BLESSING: Yes.

20 CLERK: Brenner?

21 SEN. BRENNER: No.

22 CLERK: Chavez?

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1 SEN. CHAVEZ: Yes.

2 CLERK: Cirino?

3 SEN. CIRINO: Yes.

4 CLERK: Craig?

5 SEN. CRAIG: No.

6 CLERK: Demora?

7 SEN. DEMORA: No.

8 CLERK: Dolan?

9 SEN. DOLAN: Yes.

10 CLERK: Gavarone? Hackett?

11 SEN. HACKETT: Yes.

12 CLERK: Hicks-Hudson? Steve Hoffman?

13 SEN. HOFFMAN: Yes.

14 CLERK: Ingram?

15 SEN. INGRAM: No.

16 CLERK: Kunze? Landis?

17 SEN. LANDIS: Yes.

18 CLERK: Lang?

19 SEN. LANG: Yes.

20 CLERK: Manning?

21 SEN. MANNING: Yes.

22 CLERK: McColley?

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1 SEN. MCCOLLEY: Yes.

2 CLERK: O'Brien?

3 SEN. O'BRIEN: Yes.

4 CLERK: Reineke?

5 SEN. REINEKE: Yes.

6 CLERK: Reynolds?

7 SEN. REYNOLDS: Yes.

8 CLERK: Roegner?

9 SEN. ROEGNER: Yes.

10 CLERK: Romanchuck?

11 SEN. ROMANCHUCK: Yes.

12 CLERK: Rully?

13 SEN. RULLY: Yes.

14 CLERK: Schaffer?

15 SEN. SCHAFFER: Yes.

16 CLERK: Sherine?

17 SEN. SHERINE: Yes.

18 CLERK: Smith?

19 SEN. SMITH: No.

20 CLERK: Sykes?

21 SEN. SYKES: No.

22 CLERK: Wilkin?

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1 SEN. WILKIN: Yes.

2 CLERK: President Huffman?

3 SEN. HUFFMAN: Yes. With 24 yays and seven
4 nays, the bill is passed and titled.

5 CLERK: A bill to enact the section of the
6 revised code and modify the campaign finance law
7 regarding foreign nationals and ballot issues.

8 SEN. HUFFMAN: The question is, shall the
9 title be agreed to? Any member would like to add their
10 name to the title, please do so now.

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12 I further declare that I have no interest in
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16 June 6, 2024

17 Chris Naaden

18

19 (540606, Ohio Senate - 5-31-2024 - Special Session)

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